UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1044
14 August 1990

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

GIBRALTAR

Working paper prepared by the Secretariat

CONTENTS

		Paragraphs	Page
I.	GENERAL	1 - 2	3
II.	ACTION BY THE GENERAL ASSEMBLY	3	3
III.	POLITICAL DEVELOPMENTS	4 - 32	4
	A. General	4	4
	B. General elections	5 - 7	4
	C. Future status	8 - 32	4
IV.	ECONOMIC CONDITIONS	33 - 49	9
	A. General	33 - 35	9
	B. Investment, finance, banking, currency and development	36 - 40	9
	C. Communications, transportation and power	41 - 44	10
	D. Commercial shipyard	45 - 46	11
	E. Tourism	47 - 49	11

90-18999 1858j (E)

best copy available

/...

CONTENTS (continued)

	Paragraphs	Page
V. SOCIAL AND EDUCATIONAL CONDITIONS	50 - 77	12
A. Labour	50 - 56	12
B. Drug trafficking, law and order	57 - 64	13
C. Housing	65 - 68	14
D. Public health	69 - 72	15
E. Education	73 - 75	15
F. Environment	76 - 77	16

GIBRALTAR 1/

I. GENERAL

1. Gibraltar is a narrow peninsula extending southward from the south-west coast of Spain, to which it is connected by an isthmus about 1.6 kilometres long. The Spanish port of Algeciras lies 8 kilometres across the bay to the west; the continent of Africa is 32 kilometres across the strait to the south. According to the United Kingdom of Great Britain and Northern Ireland, the area of Gibraltar is 5.86 square kilometres, and according to Spain, it is 4.80 square kilometres.

2. According to the last census conducted on 9 November 1981, Gibraltar's civilian population was 26,479, comprising 19,825 Gibraltarians, 3,706 other British subjects (excluding families of British servicemen stationed in Gibraltar) and 2,948 aliens. In 1987, the estimated civilian population was 29,692.

II. ACTION BY THE GENERAL ASSEMBLY

3. On 11 December 1989, the General Assembly adopted the following consensus on the question of Gibraltar (decision 44/426):

> "The General Assembly, recalling its decision 43/411 of 22 November 1988 and recalling at the same time that the statement agreed to by the Governments of Spain and the United Kingdom of Great Britain and Northern Ireland at Brussels on 27 November 1984,* stipulates, inter alia, the following:
>
> > "'The establishment of a negotiating process aimed at overcoming all the differences between them over Gibraltar and at promoting co-operation on a mutually beneficial basis on economic, cultural, touristic, aviation, military and environmental matters. Both sides accept that the issues of sovereignty will be discussed in that process. The British Government will fully maintain its commitment to honour the wishes of the people of Gibraltar as set out in the preamble of the 1969 Constitution',
>
> "takes note of the fact that, as part of this process, the Ministers for Foreign Affairs have held annual meetings alternatively in each capital, and urges both Governments to continue their negotiations with the object of reaching a definitive solution to the problem of Gibraltar in the light of relevant resolutions of the General Assembly and in the spirit of the Charter of the United Nations."

"* A/39/732, annex."

III. POLITICAL DEVELOPMENTS

A. General

4. The 1969 Constitution remains in effect. 2/ It provides for a single House of Assembly consisting of 15 elected members, together with a Speaker, the Attorney-General and the Financial and Development Secretary as ex officio members. Elections for the House of Assembly take place every four years. The most recent elections were held in March 1988 (see para. 6). Executive authority is vested in the Governor, who is responsible for defence, external affairs, internal security and all matters that are not expressly defined as being of domestic concern.

B. General elections

5. On 12 December 1987, Sir Joshua Hassan, the Chief Minister and President of the Gibraltar Labour Party and the Association for the Advancement of Civil Rights (AACR) for nearly four decades, retired and was succeeded by his deputy, Mr. Adolfo Canepa. On 12 February 1988, the Democratic Party for British Gibraltar (DPBG) was dissolved and a new party, the Independent Democratic Party (IDP), was formed under the leadership of Mr. Joseph Pitaluga, former Administrative Secretary of the Gibraltar Government.

6. On 24 March 1988, elections were held in Gibraltar for the 15 seats in the House of Assembly. The three parties contesting the elections were the Gibraltar Socialist Labour Party (GSLP), led by the former opposition leader, Mr. Joe Bossano, who became the new Chief Minister with 58.2 per cent of the votes, winning eight seats in the House of Assembly; AACR, headed by Mr. Canepa, the outgoing Chief Minister, which won 29.3 per cent of the votes and the remaining seven House of Assembly seats; and IDP, led by Mr. Pitaluga, which received less than 5 per cent of the votes and failed to obtain an Assembly seat.

7. On 29 March 1990, the formation of a new political party, the Gibraltar Social Democrats (GSD), was publicly announced by Mr. Peter Montegriffo, former deputy leader of AACR. At the first public meeting held by GSD, Mr. Montegriffo called for "alternative arrangements" to allow the expansion of air services to Gibraltar and unblock the present impasse (see paras. 15-24) and for the participation of Gibraltar in the framework of dialogue that has been established between Spain and the United Kingdom lest Gibraltar could be isolated and could find itself unable to exploit the opportunities that greater co-operation could offer. 3/

C. Future status

8. In his address to the General Assembly on 28 September 1989 (see A/44/PV.11), Mr. Francisco Fernández Ordóñez, Minister for Foreign Affairs of Spain, stated:

> "A particularly anachronistic colonial situation persists on the European continent, which affects the territorial integrity of my own country. No one is unaware of Spanish sensitivities in connection with the question of

READEX FICHE

Gibraltar. We have chosen the path of negotiation as recommended by the General Assembly, with a view to concluding the process of decolonization through the restoration of our territorial integrity, while at the same time preserving the interests of the population of Gibraltar as well as those of the population of the 'Campo de Gibraltar'."

Anglo-Spanish talks

9. The annual meeting between the Ministers for Foreign Affairs of Spain and the United Kingdom, initially scheduled for the month of December 1989, took place at Madrid on 26 February 1990.

10. The negotiating process established by the Brussels Joint Communiqué of 27 November 1984 is aimed at overcoming all the differences over Gibraltar by promoting co-operation on a mutually beneficial basis, as well as by discussing the issues of sovereignty.

11. At the Madrid meeting on 26 February, both Ministers agreed to extend to the Territory of Gibraltar the application of the bilateral treaty relating to the repression of drug trafficking, which was signed on 26 June 1989 but had still not come into force, as well as the bilateral treaty on extradition. Also, it was agreed to extend to the Territory of Gibraltar the Naples agreement of 1967 on customs co-operation.

12. On the eve of the British Foreign Secretary's visit to Madrid, the Spanish Foreign Minister said that "it is necessary to get closer to the solution of a problem which is increasingly anachronistic". After the meeting, Mr. Fernández Ordóñez told reporters that "a colonized Territory has no place in a united Europe". The Foreign Minister was further quoted as having said that Spain would press ahead with measures to develop the hinterland and would study the feasibility of constructing an airport there. 4/

13. Mr. Douglas Hurd, United Kingdom Secretary for Foreign and Commonwealth Affairs, reportedly stated that there was no comparison between those three accords, which formed part of Gibraltar's external relations for which his Government was responsible on behalf of the Territory, and the airport agreement of 2 December 1987, which was at least in part an internal matter (see A/AC.109/963, annex I). Endorsing Mr. Hurd's statement, the Governor of Gibraltar, Sir Derek Reffell,* added that the airport agreement specifically required Gibraltarian ratification, that the Gibraltar Government had been consulted about the agreement on the crime treaties reached the preceding day, and that he welcomed the accords. 5/

---

* In November 1989, Admiral Reffell succeeded Air Chief Marshall Sir Peter Terry, who had served four years as Governor of Gibraltar.

14. On 10 May 1990, Sir Derek Reffell paid a courtesy call on Brigadier-General Carlos López Poza, Military Governor of the surrounding Spanish province, at the port of Algeciras, thus reviving a tradition broken off in 1969 when Spain closed the border with Gibraltar. The visit was described as a "purely social call", during which no official business was discussed. 6/

Airport agreement

15. It will be recalled (see A/AC.109/1007, paras. 22 and 23) that the United Kingdom and Spain had agreed that the Spanish authorities should operate Gibraltar's airport jointly with the British authorities.

16. During the Anglo-Spanish talks that took place in London in February 1989 (see A/AC.109/1007, para. 26), the Foreign Minister of Spain stated that his country would consider building its own airport on the Spanish side of the Gibraltar border if the Gibraltarians continued to block the Anglo-Spanish agreement on the joint use of the airport.

17. In March 1989, Mrs. Lynda Chalker, then Minister of State at the British Foreign Office, wrote a letter to The Times of London commenting on its article suggesting that "Whitehall was trying to persuade Gibraltarians towards handing sovereignty to Spain and that the airport agreement might be another step along that road". In the letter, Mrs. Chalker stated that:

> "... neither suggestion is warranted as Britain's position had been made clear as regards its full commitment to the preamble to the 1969 Constitution. Nor is the 1987 airport agreement the first step towards a transfer of sovereignty. First, the Joint Declaration which forms the agreement contains the provision that it will not be implemented until the necessary legislation (which it is for the Gibraltar House of Assembly to pass) has come into effect. Secondly, the agreement is a good deal for Gibraltar. It provides for greater use of the airport in the framework of the 1987 air transport liberalization package." 7/

18. The Gibraltar Government took legal action in the latter half of 1989 against the Council of Ministers of the European Communities in the form of an appeal to the European Court of Justice in Luxembourg, requesting the abolition of one of the provisions of Directive 89/463 of the Council of the European Communities concerning interregional air services, which suspends the application of that directive to Gibraltar airport until the arrangements made in the Joint Declaration of December 1987 come into operation. 8/

19. In January, February and May 1990, respectively, the Governments of Spain and the United Kingdom, as well as the Commission of the European Communities, separately decided to intervene in the case in support of the Council of Ministers of the European Communities, requesting that the application be rejected as inadmissible. 9/

20. During his three-week visit to England in June/July 1989, Chief Minister Bossano held talks with Mrs. Chalker and other members of the United Kingdom Government. According to press reports, during the talks the Chief Minister reiterated Gibraltar's rejection of the airport agreement and reinforced his Government's stand on taking up Gibraltar's exclusion from the European Community (EC) air liberalization programme in the courts. He was also reported to have told Mrs. Chalker that Gibraltar was entitled to be included in the amended version of the 1983 EC interregional airport agreement. 10/

21. In an interview with the Gibraltar Broadcasting Corporation (GBC) on 25 January 1990, Mr. Francis Maude, Minister of State for Foreign and Commonwealth Affairs of the United Kingdom, stated that the British Government would not force the airport agreement on the Territory, nor would it make any concessions on sovereignty now or in the future. Mr. Maude urged Gibraltar to consider the economic benefits of allowing development of the airport to go ahead through the agreement and said that Gibraltarians were mistaken in thinking that the airport deal meant any concession on sovereignty. Mr. Maude visited Gibraltar taking up the invitation extended in December to his predecessor, Mrs. Chalker.

22. Following the meeting between Messrs. Bossano and Maude on 26 January 1990 in Gibraltar, the Chief Minister told local and Spanish journalists that Gibraltar would neither accept the 1987 airport agreement nor negotiate on its terms. He emphasized that the Government policy on relations with Spain was one of spelling out the position on sovereignty rather than "leading" Spain along on false hopes. At a press conference upon his departure from the Territory, Mr. Maude reiterated that "the airport agreement is the only agreement there is at the moment ... There is a need to look at progress in the context of that agreement." 11/

23. On 20 June 1990, the Council of Ministers of Transportation of EC adopted a new package of regulations in accordance with the second phase of the scheduled European interregional air liberalization programme. This package comprises a rule which, as established in decision 87/602 of the first liberalization package and Directive 89/463 mentioned in paragraph 18 above, contains a clause indicating that its application shall be without prejudice with regard to the sovereignty of the isthmus where the Gibraltar airport is located, and suspends its application to the said airport until the arrangements of the Joint Declaration of 1987 come into operation. 12/

24. On 10 January, during a two-hour visit with Mr. Salvador Pagán, Mayor of La Línea, the Chief Minister discussed traffic flow problems at the frontier as well as other general areas of co-operation. The meeting was hailed as a further step in the co-operation between the Campo area and Gibraltar. The Chief Minister told reporters that within a reasonable time-frame further co-operation in the economic programme would be embarked upon, utilizing resources from both sides and eliminating unemployment in La Línea. 13/

Troop withdrawal

25. In December 1989, Mr. Archie Hamilton, United Kingdom Minister of State for Armed Forces, stated that the United Kingdom Government had decided not to retain a

resident infantry battalion in Gibraltar after March 1991. Some of the tasks currently undertaken by the resident battalion would be performed by the Gibraltar Regiment, whose permanent staff would be more than doubled. A part-time company and home service force company would allow the Regiment to be reorganized into an all-infantry force of three companies. The Artillery Battery and Air Defence Troop would no longer be required, although personnel from those units could remain in the restructured Regiment. 14/

26. Further to a partial withdrawal of the British Army contingent from its Gibraltar garrison (see A/AC.109/1007, para. 13), Sir Geoffrey Howe, then Foreign Secretary, announced the intention of the United Kingdom Government to remove the resident battalion in 1991 and not replace it by a new one. 15/ In his New Year message, Chief Minister Bossano stated that by 1992 the Ministry of Defence presence in Gibraltar would be reduced to some 1,000 troops, necessitating the expansion of the private sector, which, he hoped, could provide about 8,000 jobs by that time. 15/

27. In February 1989, the House of Assembly unanimously passed a motion by which it deeply regretted the troop withdrawal and consequential job reductions and urged that proposals for economic assistance should be put to the British Government, reflecting the Chief Minister's theme "a right to our land", the underlying thinking of which holds that all Crown land belongs to the Crown and that thus the Gibraltar Government should not pay for Ministry of Defence land which is no longer required. The motion states that such land should "automatically devolve to the Crown in its right of the Government of Gibraltar". 14/

28. The cost of maintaining a garrison in Gibraltar in 1989/90 was estimated at £82 million. 16/

29. As the gradual withdrawal of British troops from the Gibraltar garrison progresses, the curtailment of local employment by the garrison continues. According to a statement by the United Kingdom Ministry of Defence on 25 January 1990, "every effort will be made to mitigate the effect of all job losses resulting from the garrison restructuring by re-employment where possible and by use of voluntary redundancy policy", and detailed consultations with the Government and unions were to start immediately. 17/ According to the administering Power, the local government reportedly emphasized the need to adjust to the charges by encouraging the development of the private sector and by providing retraining in good time for those whose jobs will come to an end.

30. In a policy document entitled "Constitutional Advance for Gibraltar", published on 5 October 1989, Sir William Jackson, Governor of Gibraltar from 1978 to 1982, claimed that there was growing pressure in Gibraltar for constitutional reform. He proposed various steps that the United Kingdom might take in that regard. 18/

31. In his foreword to the document, Chief Minister Bossano welcomed the raising of the issue, saying that it "has to be addressed" and that "it is obvious in today's world that Gibraltar's relationship with the United Kingdom requires redefinition". However, the Chief Minister further stated that "my Government so

far has had no difficulties in working with Her Majesty's Government within the present constitutional framework and therefore there is no urgent need for constitutional change ... but the debate on the future is still needed". 18/

32. Following release of the document, a British Foreign Office spokesman indicated that the document had been received, examined and noted. He added that "there are no plans for constitutional reform. We remain committed to the 1969 Constitution". 18/

IV. ECONOMIC CONDITIONS

A. General

33. Gibraltar has no known natural resources. Industries, trades and services on the island are mainly involved in supplying the needs of the civilian community and the garrison. The economy of Gibraltar is largely dependent on tourism and the provision of financial services such as banking, insurance, shipping and portfolio management.

34. With a wide-ranging development programme endorsed by the Chief Minister, the economic growth of the Territory showed 8.6 per cent and 10 per cent increases respectively for 1988 and 1989 - a progress deemed well in keeping with the Government's goal of 50 per cent growth by 1992. According to the Chief Minister, land and people were Gibraltar's only real assets and economic success would be possible only through restructuring and redeployment of available resources from less productive to more productive areas and occupations. The Chief Minister further stated that as the year 1992 approached - the year Europe is to become a single market - it was imperative for the Territory to prepare itself for the new competitive era by "bringing Gibraltar up to the standards of the rest of Western Europe". 19/

35. Financial assistance by the United Kingdom to Gibraltar in the financial year 1988/89 amounted to £8,733,000. 20/ The Territory's outstanding debt under the British Overseas Development Administration at the end of the same period stood at £902,075. 21/ The United Kingdom expenditure on aid to Gibraltar in 1989/90 is expected to amount to about £500,000. 22/

B. Investment, finance, banking, currency and development

36. The budget estimates placed before the House of Assembly for its review in mid-May 1990 were expected to indicate success in keeping government expenditure under control with restructuring and the possibility of upgrading its £70 million four-year capital investment plan. The original 1988 projection of £56 million for the period was upgraded to £70 million in 1989. The plan aims at raising the standard of living by providing better water supplies, electricity, roads, transportation, communication, public service and other social amenities. In contrast, the estimates for the Government itself - civil service wages and departmental expense - are expected to remain at the previous year's level, i.e., about £69 million. 23/

37. In November 1989, the House of Assembly enacted financial legislation designed to strengthen the fast-growing activities of the Territory as a trade and financial centre, creating a Financial Services Commission. The Commission is empowered not only to license all regulated business, but also to intervene and obtain information or prohibit a licensee from entering into transactions, soliciting business or disposing of or dealing with certain property or assets. The Commission, headed by a full-time Commissioner, is made up of six other individuals drawn from the local finance industry, including an accountant, a lawyer and a bank manager. 24/

38. During 1989, in its continuing efforts to attract international investment, the Government established overseas representative offices in the United States of America, Hong Kong and Tokyo. According to reports, Gibraltar's main attraction is to provide a financial safe haven protected by British troops on the southern tip of Europe, aspiring to become the mini-Hong Kong of Europe. During the past four years the number of banks represented in Gibraltar tripled to 25. Their total assets rose by 70 per cent in 1988 alone, to close to $US 2 billion. The opening of foreign banks has increased job opportunities for local residents, employing some 900 persons in different financial services. 25/

39. On 19 October 1989, Danish investors signed an agreement with the Government, formally launching "Europort", an administrative 34,000-square-metre project for the Westside reclamation site. The two-year construction programme for the centre, a £107 million project, began in February 1990. Upon its completion, the new building is expected to accommodate up to 3,000 people for commercial use. One third of the investment has been paid in equity capital and the remainder is to be furnished by investors. 26/

40. According to reports, the President of the Commission of the European Communities, Mr. Jacques Delors, has confirmed that the Gibraltar currency is recognized as an EC currency since, like United Kingdom notes, it is denominated in sterling, which is an EC currency. Although it was entirely a matter for the banks in the Community to decide whether or not they were prepared to exchange Gibraltar currency notes, there was no reason, in principle, why that should not happen, he further stated. 27/

C. Communications, transportation and power

41. It was reported that a new £2.5 million digitized telephone switching system had come into operation on 31 March 1990, putting an end to the line shortages and other related telephone problems. New services were reportedly introduced with 100 per cent digitalization of all domestic and international telecommunications. 3/

42. On 13 March 1990, Gibraltar Airways announced that plans were under way for direct air links between Gibraltar and Berlin. The announcement followed the visit to Berlin during the preceding week of the Minister for Tourism, Mr. J. Pilcher. The plans reportedly envisage two to three weekly flights, subject to the approval of the Civil Aviation Authority and the Department of Transportation of the United Kingdom Government. The routes are expected to offer direct access to some 500,000 Berliners to Gibraltar, Spain and Morocco as well as to other European cities. 28/

43. In February 1990, at the invitation of the Government, the Chairman of the Maltese airline, Air Malta, and its Charter Manager visited Gibraltar. The two sides are involved in exploratory contacts aimed at developing air communications and further links. Air Malta has in the past operated a charter flight to Gibraltar and plans to continue the service in 1990. 29/

44. According to reports, the Gibraltar Government has entered into an agreement with a United Kingdom company for the development of a power station by private capital under a principle known as "BOOT", (Build, Own, Operate and Transfer), which means that the Government does not provide the capital or operate the plant, but obtains the services at a charge. The agreement covers the period of 12 years with an option for the Government to purchase the entire plant at a future date. The guaranteed minimum annual purchase increases over the years, starting with 10 million units and increasing to a maximum of 51 million units in five years. 30/

D. Commercial shipyard

45. Despite the continuing efforts by the Government to curtail its operations, including voluntary redundancy and other measures, Gibraltar's commercial shipyard, Gibrepair, continues to suffer from operational losses amounting, in 1988, to £7.9 million and, in 1989, to £5.9 million. 14/ In March 1990, the Government decided to impose mandatory redundancy on 24 workers, despite its previous assurances that redundancy would only be voluntary. 27/

46. According to a report, a major Norwegian offshore and shipping group, Kvaemer Industries, has made a bid for the commercial shipyard. The report was confirmed by Mr. Pilcher, who said the firm had expressed an interest, but that there has been no firm decision from the Government. According to Kvaemer, it was examining all possibilities in the yard including a management contract or a complete takeover. 14/ Gibrepair has gone through major difficulties (see A/AC.109/1007, paras. 43-47), reducing its work-force in 1989 to the present level of some 200 workers. Its losses were estimated at £7.9 million in 1988, although they were reduced by £2 million in 1989.

E. Tourism

47. Since the opening of the border in 1985, tourism has grown into a million-pound sterling industry for Gibraltar. No recent figures are available for the number of tourist arrivals which, in 1987, rose to 3,189,490. Expenditure by tourists was estimated at £4 million in 1989.

48. The Gibraltar Chamber of Commerce urged the recently created National Tourist Board and the Minister for Tourism to take urgent steps to counter the forecast decline in tourism linked to high interest rates and a weak pound in the United Kingdom. According to a report, British tour operators are anticipating a 40 per cent drop in package tours. The Chamber of Commerce specifically calls for promotion of the port, yacht marina and repair services; cruise calls and improvement or construction of new facilities; competitive prices; and improved environment. 31/

49. On 25 October 1989, the Minister for Tourism announced a £1.25 million extension and redevelopment programme of Gibraltar's air terminal, with completion expected in the spring of 1990. The terminal building would be expanded from 2,166 to 3,394 square metres. 32/

V. SOCIAL AND EDUCATIONAL CONDITIONS

A. Labour

50. Since 1978, public sector wages and salaries have been equated at full parity with those in the United Kingdom. Wages in the private sector generally tend to move in line with the public sector. In 1987, wages rose by an average of 6 per cent while the annual inflation rate was estimated at 4.4 per cent. Unemployment benefits are paid out of the Social Insurance Fund.

51. At the end of December 1987, the work-force in Gibraltar totalled 11,869, the latest figures available. Unemployment stood at 463 for the same period. A total of 2,254 persons were employed by the public service. The industries with the highest employment levels are the ship-repairing and the construction industry. The policy of priority of opportunity of employment for Gibraltarians and EC nationals and the strict application of the quota system ensure that unemployment is kept as low as possible.

52. Since January 1974 there has been an agreement between the Government of Gibraltar and the United Kingdom on social security arising from the United Kingdom's and Gibraltar's accession to EC.

53. According to the United Kingdom National Audit Office report published on 28 February 1990, by the time the Spanish pensioners are paid off and the whole pension fund is spent, the United Kingdom Government will have contributed over £65 million for Spanish pensions. In 1989, the United Kingdom agreed to meet the Spanish liability until 1993 at a capital cost of £38.6 million, and to bear the cost of lump sum payments in 1994 at an estimated £7 million. 33/

54. Improved rates of pay for the transport industry were expected to be submitted in March 1990 to the Government by the Conditions of Employment Board. The measure set forth the following rates for a 39-hour week: labourer, £3.01 an hour, £117.39 weekly; driver B class licence, £3.39 an hour, £132.21 weekly; driver C class licence, £3.49 an hour, £136.11 weekly; and articulator truck driver, £3.60 an hour, £140.40 weekly. 34/

55. Moroccan workers held a mass meeting in November 1989 to discuss the problems they are reported to be facing in Gibraltar regarding housing conditions, discrimination, the prospect of unemployment and the general uncertainty as to their future role in Gibraltar after 1992. According to the latest available data, there were 140 unemployed Moroccan workers in Gibraltar. The group decided to set up a commission to study those problems and has requested to meet with the Chief Minister. 35/

56. In March 1990, the Gibraltar Government decided to make 24 workers - half of them Spanish - redundant from Gibraltar Labour Services, an offshoot company from Gibrepair. The decision gave rise to protests by Spanish workers in Gibraltar who claimed that it amounted to discriminatory treatment. 36/

B. Drug trafficking, law and order

57. Drugs and money were main topics in the last round of Anglo-Spanish talks at Madrid in February 1990. While drug smuggling directly through the Territory is said to be on a relatively small scale, Spanish officials have complained that Gibraltar-registered speedboats were used to transport large quantities of hashish from Morocco to Costa del Sol, and have expressed concern over money laundering and contraband cigarettes. According to some sources, an estimated $US 400,000 worth a day was being smuggled into Spain. Chief Minister Bossano was reported to have said that "we have investigated about 30 cases of financial wrongdoing alleged in the Spanish press and haven't found any evidence yet". Mr. Douglas Hurd said that Spain had produced no firm evidence to substantiate allegations of unlawful dealings, but he did agree to include Gibraltar in an anti-drug agreement signed with Spain in 1989. 37/

58. The Attorney-General of Gibraltar rejected allegations by Spain that the Gibraltar authorities "aid and abet" the smuggling of tobacco into Spain. His comments followed reports in Spain and the United Kingdom press in February 1990 regarding a document by the Civil Guard establishment alleging that up to 500 cases of cigarettes a day, valued at £250,000, were being smuggled from Gibraltar with the support of the Gibraltar Government. The Attorney-General was due to meet with Spanish law authorities in Spain for a second time during the latter half of February 1990 to discuss modalities for co-operation. 38/

59. In an address to the World Ministerial Summit on Drugs held in London, organized by the United Kingdom Government with the co-operation of the United Nations and attended by delegates from over 100 countries, Mr. J. Moss, Minister for Education, stated on 11 April 1990 that legislative initiatives sponsored by the Government of Gibraltar had "proved that a fiscal paradise did not necessarily equal a drug launderers' haven". 39/

60. It was reported in June 1989 that Gibraltar was redrafting legislation on drug trafficking in order to bring it directly in line with the United Kingdom's legislation, so that the international agreement signed by Spain and the United Kingdom on 26 June 1989 would also extend to Gibraltar. The Spain/United Kingdom bilateral agreement does not apply to Gibraltar at present. The agreement would allow police on both sides to "trace, freeze and confiscate" the assets of drug traffickers. 40/

61. In April 1990, Mr. David Waddington, United Kingdom Home Secretary, conferred upon the High Court in England and Wales powers to freeze and confiscate assets of drug traffickers convicted overseas. Gibraltar is included in the new agreement. 41/

62. Gibraltar drug squad officers, working closely with their Spanish counterparts, carried out in June 1989 a major surveillance operation leading to the seizure of some 249 kilos of cannabis resin, valued at some £249,000. One Gibraltarian and three Spaniards were arrested and charged, and a Spanish fishing vessel and a motor launch were confiscated. 42/

63. Gibraltar customs officers took an active part in a major two-year operation which led to numerous arrests and the seizure in the United Kingdom of 1.5 tons of high quality Moroccan cannabis worth almost £4 million. Throughout the operation there was excellent co-operation between customs officers and police authorities in Gibraltar, Spain, France and the United Kingdom. 43/

64. Misconduct, abuse of authority and corruption within the Gibraltar Police Force are to be subjected to the discipline of a new and independent body, the Police Complaints Board, established in 1990 and composed of senior officers and civilians. The Board will hear complaints initiated both by the public and from within the Force itself. A disciplinary code has been set out, detailing offences, which include improper disclosure of information, misuse of physical force and corruption. 29/

C. Housing

65. The second phase of the Westside housing project, Westside II, was launched in February 1990, where 778 flats will be available. The Minister for Housing, Mr. P. Baldachino, said that Westside II was aimed at a lower income bracket and, together with Westside I, a total of 1,600 flats would soon become available, thus relieving the acute shortage of housing in the private sector. 44/

66. Mr. Baldachino also announced measures to facilitate home ownership to private sector tenants who might be unable to afford purchase but are paying high rents. He said that following an agreement between the Government and the developers of the Westside housing projects, Gibraltar Homes Ltd., they would contribute either 1 per cent of mortgage value payable monthly for a period of 15 months, or the rent they are paying in the private sector, whichever is less. That in effect amounts to an interest-free loan added on to the mortgage after the 15-month construction period, the repayment of which would be spread out over the duration of the mortgage, during which time the Government would be part owner of the house. In case of default, arrangements would be made to allow the Government to recover the money from the developer. 14/

67. According to Mr. Baldachino, the government Housing Department's 200-member work-force was engaged in rehabilitation, repairs and construction of housing facilities throughout Gibraltar. He hoped that by the end of 1989 the housing waiting-list would be reduced to zero. 45/

68. In September 1989, agreement was reached in the House of Assembly for the construction of a £4.8-million building components factory. The Gibcomponents Factory is expected to provide some 60 jobs. The factory, under the chairmanship of the Minister for Trade and Industry, Mr. Feetham, is expected to begin

production in mid-1990 with an initial capacity of some 35,000 tons of components a year, sufficient for 30,000 square metres of housing per year or 50,000 square metres of commercial area. With extensions to the factory, production can be increased by 50 per cent. 46/

D. Public health

69. The Government's medical and health services consist of hospital services, medical treatment by specialists outside government hospitals where such treatment is beyond the scope of local resources, child welfare and school health services, domiciliary and out-patient treatment of persons coming under the scope of the District Medical Service, the Domiciliary Medical Service, the Ports and Airport Health Service and the Environmental Health Service and Laboratories.

70. Recurrent expenditure on public health in 1986/87, according to the latest figures available, amounted to £7.3 million, compared with £6.4 million in the preceding period.

71. In 1986/87, there were 28 government and 59 private physicians, 176 senior nurses, 98 partially trained nurses and 115 other health service workers employed in the Territory. Medical facilities include a 192-bed hospital, a maternity centre and two other medical institutions.

72. At the end of 1989, the Territory was struck by an epidemic of influenza with 200 cases being treated at the emergency clinic in the Health Centre on a single day in December. The Health Authority undertook an intensified vaccination programme. According to the Minister for Medical Services, Miss Mari Montegriffo, the epidemic was the "tail-end" of the virus which had swept through the United Kingdom during the preceding week, where it had claimed 782 lives in the week ending 22 December, compared with 472 deaths in the previous week. 47/

E. Education

73. Education is free for all children up to "A" level standard and is compulsory between 5 and 15 years of age. At the end of 1987, 3,586 pupils were enrolled in 12 government, 1 private and 2 service primary schools. A further 1,751 pupils were enrolled in 2 government secondary schools. The language of instruction is English; Spanish is taught as a second language, particularly in the senior schools. In addition, there were also 13 private and 2 government nursery units, as well as 2 facilities for handicapped and retarded children and adults. During the same period there was a total of 319 teachers for all schools.

74. Technical and vocational training is provided equally to males and females at the two government comprehensive secondary schools, as well as at the Gibraltar College of Further Education. The College, which offers one- and two-year general engineering courses, has since 1985 also offered business/commercial education, technical education and a range of adult education and evening classes, as well as training of apprentices for the Government and the private sector. At the end of

1986, 62 full-time students were enrolled at the College. The Commercial School, which is part of the Girls' Comprehensive School, continues to offer two-year courses for secondary-school girls who pass a qualifying examination. The College also offers an expanding programme of adult education and evening classes.

75. According to the management of the Gibraltar College of Further Education, all students on the Business and Technician Education Council, and on National Diploma Full-time Courses in Engineering and Construction, have been awarded the National Diploma and have thus secured mandatory scholarships to further their studies in the United Kingdom. Three of the students taking part-time courses had been accepted in institutions of higher education to continue their studies. 48/ Those students were studying at either universities or polytechnics in the autumn of 1989.

F. Environment

76. With the increasing awareness of the need to safeguard territorial environments, concerned organizations are stepping up their action and suggesting measures to the Government to deal effectively with various pressing issues, such as rubbish dumping and recycling, the treatment of sewage, energy efficiency, pollution and heritage. In responding to protestations made by various environmental groups, Mr. Juan Carlos Pérez, Minister for Government Services, said in April 1990 that the Government was always open to suggestions on those matters. Suggestions put forward include the introduction of on-the-spot fines for littering, observance of EC and other international pollution control regulations by all present and future industrial installations on the bay, and enforcement of laws on noise pollution and exhaust emissions. 49/

77. It was reported that "a series of explosions and light flashes" were observed in the naval base as the result of an accident involving the nuclear submarine HMS Tireless. A statement by the Ministry of Defence described the accident as "a minor incident caused by a short circuit in a shore power cable outside the hull of the submarine". The Gibraltar branch of the Campaign for Nuclear Disarmament reacted to the incident saying that the latest accident on a nuclear submarine "again highlights the grave risks that these vessels pose for the whole of Gibraltar". Gibraltar's leading trade union, the Transport and General Workers Union (TGWU), considered that the increased presence of nuclear submarines within the bay was most threatening to the environment. 50/

Notes

1/ The information contained in the present paper has been derived from published reports and from information transmitted to the Secretary-General by the Government of the United Kingdom of Great Britain and Northern Ireland under Article 73 e of the Charter of the United Nations on 28 February 1989 for the year ending 31 December 1987.

2/ For details, see Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 23 (A/7623/Rev.1), vol. III, chap. XI, annex, paras. 7-23.

Notes (continued)

3/ Gibraltar Chronicle, 30 March 1990.

4/ Summary of World Broadcasts, ME/0699 (iii); and The Guardian (London), 27 February 1990.

5/ The Guardian (London), 27 February 1990.

6/ Reuters dispatch, 10 May 1990.

7/ Gibraltar Chronicle, 6 April 1990.

8/ Official Journal of the European Communities, L.226, 3 August 1989. Directive of the Council of 18 July 1989 (89/463/EEC); ibid., L.374, 31 December 1987. Decision of the Council of 14 December 1987 (87/602/EEC).

9/ Gibraltar Chronicle, 9 November 1989, 6 January and 7 February 1990.

10/ Ibid., 4 July 1989.

11/ Ibid., 27 January 1990.

12/ Council of the European Communities document 7652/90, Brussels, 13 July 1990.

13/ Gibraltar Chronicle, 11 January 1990.

14/ Ibid., 23 February 1990.

15/ Ibid., 3 January 1990.

16/ House of Commons, Parliamentary Debates (Hansard), 18 October 1989.

17/ Gibraltar Chronicle, 26 January 1990.

18/ Ibid., 5 October 1989.

19/ Reuters dispatch, 4 May 1990; Gibraltar Chronicle, 14 August 1989 and 24 March 1990.

20/ House of Commons, Parliamentary Debates (Hansard), 13 November 1989.

21/ Ibid., 11 December 1989.

22/ Ibid., 19 January 1990.

23/ Gibraltar Chronicle, 21 April 1990.

24/ Ibid., 13 November 1989 and 27 April 1990.

Notes (continued)

25/ Ibid., 20 October 1989; The New York Times, 14 August 1989; Reuters dispatch, 4 May 1990.

26/ Gibraltar Chronicle, 20 October 1989.

27/ Ibid., 16 March 1990.

28/ Ibid., 14 March 1990.

29/ Ibid., 21 February 1990.

30/ Ibid., 18 August 1989.

31/ Ibid., 11 December 1989.

32/ Ibid., 26 October 1989.

33/ Ibid., 1 March 1990.

34/ Ibid., 29 March 1990.

35/ Ibid., 13 November 1989.

36/ Ibid., 21 March 1990.

37/ Reuters dispatch, 4 May 1990.

38/ Gibraltar Chronicle, 9 February 1990.

39/ Ibid., 12 April 1990.

40/ Ibid., 28 June 1990.

41/ Ibid., 18 April 1990.

42/ Ibid., 3 June 1989.

43/ Ibid., 5 September 1989.

44/ Ibid., 13 February 1990.

45/ Ibid., 4 December 1989.

46/ Ibid., 19 September 1989.

47/ Ibid., 10 January 1990.

Notes (continued)

48/ Ibid., 11 October 1989.

49/ Ibid., 24 April 1990.

50/ Ibid., 25 and 27 April and 2 May 1990.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1045
31 July 1990

ORIGINAL: ENGLISH

ECIAL COMMITTEE ON THE SITUATION WITH
REGARD TO THE IMPLEMENTATION OF THE
DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES
AND PEOPLES

QUESTION OF EAST TIMOR

Letter dated 27 July 1990 from the Permanent Representative of Indonesia to the United Nations addressed to the Chairman of the Special Committee

With reference to the aide-mémoire 18/90 dated 27 July 1990 of the Special Committee concerning requests from persons as well as organizations to appear before the Special Committee as petitioners to speak about the so-called question of East Timor, I wish to convey the position of my delegation as follows.

The process of decolonization in East Timor has been carried out in conformity with the provisions of the Charter of the United Nations and of General Assembly resolutions 1514 (XV) and 1541 (XV), thus terminating the colonial status of the former Territory. Consequently, the integration of East Timor into the Republic of Indonesia was formalized on 17 July 1976 as its twenty-seventh province with rights and obligations equal to those of the other provinces.

In view of the above, my delegation reiterates its view that consideration of the question by the Committee is inappropriate and would constitute interference in matters which are essentially within the domestic jurisdiction of a sovereign Member State. Moreover, any granting of a hearing to any petitioner before the Committee would serve no useful purpose whatsoever.

My delegation, therefore, expresses its strong opposition to the participation of the petitioners in the deliberations of the Committee.

I would appreciate it if this letter could be circulated as an official document of the Special Committee.

(Signed) Nana S. SUTRESNA
Ambassador
Permanent Representative

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1045/Add.1
7 August 1990

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

QUESTION OF EAST TIMOR

Letter dated 7 August 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Indonesia to the United Nations addressed to the Chairman of the Special Committee

With reference to aide-mémoire 18/90 and Add.1 of 27 July 1990 and 7 August 1990 of the Special Committee concerning requests from persons as well as organizations to appear before the Special Committee as petitioners to speak about the so-called question of East Timor, I wish to convey the position of my delegation as follows.

The process of decolonization in East Timor has been carried out in conformity with the provisions of the Charter of the United Nations and of General Assembly resolutions 1514 (XV) and 1541 (XV), thus terminating the colonial status of the former Territory. Consequently, the integration of East Timor into the Republic of Indonesia was formalized on 17 July 1976 as its twenty-seventh province with rights and obligations equal to those of the other provinces.

In view of the above, my delegation reiterates its view that consideration of the question by the Committee is inappropriate and would constitute interference in matters which are essentially within the domestic jurisdiction of a sovereign Member State. Moreover, any granting of a hearing to any petitioner before the Committee would serve no useful purpose whatsoever.

My delegation, therefore, expresses its strong opposition to the participation of the petitioners in the deliberations of the Committee.

I would appreciate it if this letter could be circulated as an official document of the Special Committee.

(Signed) Nugroho WISNUMURTI
Ambassador
Chargé d'affaires a.i.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1046
6 August 1990

SPECIAL COMMITTEE ON THE SITUATION WITH
REGARD TO THE IMPLEMENTATION OF THE
DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES
AND PEOPLES

QUESTION OF SENDING VISITING MISSIONS TO TERRITORIES

Resolution adopted by the Special Committee at its
1365th meeting, on 6 August 1990

The Special Committee,

Having considered the question of sending visiting missions to Territories,

Having examined the report of the Chairman on the question, 1/

Recalling the relevant resolutions and decisions of the General Assembly and the Special Committee requesting the administering Powers to co-operate fully with the United Nations by receiving visiting missions in the Territories under their administration,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in those Territories and of ascertaining the wishes and aspirations of the peoples thereof regarding their future status,

Conscious that United Nations visiting missions enhance the capacity of the United Nations to assist the peoples of colonial Territories in attaining the objectives set forth in the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, and in other relevant resolutions of the Assembly,

---

1/ A/AC.109/L.1741.

Reiterating its regret at the decision in 1986 of the Government of the United Kingdom of Great Britain and Northern Ireland not to take part in the work of the Special Committee and noting with concern that the non-participation of the United Kingdom has, since then, made it difficult for the Special Committee to conduct a thorough review of developments in the Territories under the administration of the United Kingdom,

1. Stresses the need to dispatch periodic visiting missions to colonial Territories in order to facilitate the full, speedy and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples with respect to those Territories;

2. Calls upon the administering Powers to co-operate or continue to co-operate with the United Nations by receiving United Nations visiting missions in the Territories under their administration;

3. Continues to call upon those administering Powers that are not participating in the work of the Special Committee to reconsider their decisions and to take an active part in the work of the Committee;

4. Requests its Chairman to continue consultations with the administering Powers concerned on the implementation of paragraph 2 of the present resolution and to report thereon to the Special Committee as appropriate.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1047
6 August 1990

SPECIAL COMMITTEE ON THE SITUATION WITH
REGARD TO THE IMPLEMENTATION OF THE
DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES
AND PEOPLES

INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS

Resolution adopted by the Special Committee at its 1365th meeting, on 6 August 1990

The Special Committee,

Having examined the report of the Secretary-General on this item, 1/

Recalling General Assembly resolution 1970 (XVIII) of 16 December 1963, in which the Assembly requested the Special Committee to study the information transmitted to the Secretary-General in accordance with Article 73 e of the Charter of the United Nations and to take such information fully into account in examining the situation with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in Assembly resolution 1514 (XV) of 14 December 1960, as well as its resolution 1541 (XV) of 15 December 1960,

Recalling also General Assembly resolution 44/83 of 11 December 1989, in which the Assembly requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII),

Stressing the importance of timely transmission by the administering Powers of adequate information under Article 73 e of the Charter, in particular in relation to the preparation by the Secretariat of the working papers on the Territories concerned,

---

1/ A/AC.109/1039 and Corr.1.

1. Reaffirms that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter of the United Nations, the administering Power concerned should continue to transmit information under Article 73 e of the Charter with respect to that Territory;

2. Requests the administering Powers concerned to transmit or to continue to transmit to the Secretary-General the information prescribed in Article 73 e of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned, within a maximum period of six months following the expiration of the administrative year in those territories;

3. Requests the Secretary-General to continue to ensure that adequate information is drawn from all available published sources in connection with the preparation of the working papers relating to the Territories concerned;

4. Decides, subject to any decision which the General Assembly might take in that connection, to continue to discharge the functions entrusted to it under Assembly resolution 1970 (XVIII), in accordance with established procedures.

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1048
13 August 1990

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

WESTERN SAHARA

Working paper prepared by the Secretariat

CONTENTS

		Paragraphs	Page
I.	GENERAL	1	2
II.	CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FORTY-FOURTH SESSION	2 - 3	2
III.	GOOD OFFICES OF THE SECRETARY-GENERAL	4 - 12	4
IV.	POLITICAL AND OTHER DEVELOPMENTS	13 - 42	5

I. GENERAL

1. A detailed account of general conditions and developments related to Western Sahara was provided in a previous working paper on the Territory (A/AC.109/695).

II. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FORTY-FOURTH SESSION

2. At the forty-fourth session of the General Assembly, reference was made to the question of Western Sahara by a number of representatives during their statements in plenary meetings (see A/44/PV.4-31). An account of the Fourth Committee's consideration of the item at the same session is given in the related report of the Committee to the Assembly (A/44/738).

3. On 11 December 1989, on the recommendation of the Fourth Committee, the General Assembly adopted without a vote resolution 44/88 on the question of Western Sahara. The resolution reads as follows:

"The General Assembly,

"Having considered in depth the question of Western Sahara,

"Recalling the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

"Recalling its resolution 43/33 of 22 November 1988 on the question of Western Sahara,

"Recalling resolution AHG/Res.104 (XIX) on Western Sahara, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its nineteenth ordinary session, held at Addis Ababa from 6 to 12 June 1983,

"Taking note with appreciation of the final document on Western Sahara adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held in Belgrade from 4 to 7 September 1989,

"Recalling Security Council resolution 621 (1988) of 20 September 1988 concerning the question of Western Sahara,

"Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

"Having examined the report of the Secretary-General on the question of Western Sahara,

"Reiterating its support for the joint good offices process initiated in New York on 9 April 1986 by the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations with a view to promoting a just and definitive solution of the question of Western Sahara, in accordance with resolution AHG/Res.104 (XIX) and General Assembly resolution 40/50 of 2 December 1985,

"1. Takes note with appreciation of the report of the Secretary-General on the question of Western Sahara;

"2. Reaffirms that the question of Western Sahara is a question of decolonization which remains to be completed on the basis of the exercise by the people of Western Sahara of their inalienable right to self-determination and independence;

"3. Stresses the importance of the agreement in principle given on 30 August 1988 by the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro to the joint proposals of the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations with a view to the holding of a referendum for self-determination of the people of Western Sahara, organized and supervised by the United Nations in co-operation with the Organization African Unity;

"4. Welcomes the efforts of the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations to promote a just and definitive solution of the question of Western Sahara, in accordance with General Assembly resolution 40/50;

"5. Also welcomes the progress achieved by the joint good offices process and urges the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations to continue and intensify their efforts with a view to resolving the remaining problems, and thus to fulfil the necessary conditions for the holding of a referendum for self-determination of the people of Western Sahara, without any administrative or military constraints, organized and supervised by the United Nations in co-operation with the Organization of African Unity;

"6. Takes note with appreciation of the establishment of a technical commission to assist the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations in their joint good offices with a view to resolving the question of Western Sahara;

"7. Welcomes the talks in Marrakech between His Majesty King Hassan II of Morocco and a high-level delegation from the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro, and endorses the hope of the

Secretary-General of the United Nations and the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity that there will be further meetings of this nature to improve the prospects for the success of the peace process;

"8. Expresses its conviction that the continuation of direct dialogue between the two parties to the conflict could contribute to the completion of the joint good offices process of the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations, to the restoration of peace in Western Sahara and to stability and security in the whole region;

"9. Appeals once again to the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro to display the co-operation and the political goodwill necessary for the success of the joint good offices process of the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations;

"10. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara as a matter of priority and to report thereon to the General Assembly at its forty-fifth session;

"11. Invites the Secretary-General of the Organization of African Unity to keep the Secretary-General of the United Nations informed of the progress achieved in the implementation of the decisions of the Organization of African Unity relating to Western Sahara;

"12. Invites the Secretary-General to follow the situation in Western Sahara closely with a view to the implementation of the present resolution and to report thereon to the General Assembly at its forty-fifth session."

III. GOOD OFFICES OF THE SECRETARY-GENERAL

4. An account of a series of contacts and consultations undertaken in 1989 by the Secretary-General of the United Nations in the exercise of his good offices, within the context of General Assembly resolution 43/33 of 22 November 1988, is given in his report of 12 October 1989 to the Assembly at its forty-fourth session (A/44/634 and Corr.1). Since the circulation of that report, the Secretary-General, in close co-operation with the current Chairman of the Organization of African Unity (OAU), has continued to exercise his good offices with the parties concerned.

5. Upon the resignation of Mr. Hector Gros Espiell as Special Representative of the Secretary-General for the question of Western Sahara, Mr. Johannes Manz, a national of Switzerland, was appointed to replace him with effect from 19 January 1990.

6. In March 1990, the Secretary-General visited the region and held consultations with the leader of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO) on Western Sahara.

7. A meeting was convened by the Secretary-General at Geneva from 4 to 7 June 1990 with a representative group of tribal leaders from Western Sahara for the purpose of explaining to them the Saharan Identification Commission's terms of reference and its method of work. 1/ The meeting, in which the Secretary-General's Special Representative for Western Sahara as well as other senior advisers participated, provided an opportunity for the 38 tribal leaders invited to make suggestions to the Commission on the best means of identifying qualified voters, and ways and means by which they could be of help to the Commission during the actual performance of its work.

8. In June 1990, the Secretary-General submitted to the Security Council the report 2/ requested by the Council in its resolution 621 (1988) of 20 September 1988. The report contains the full text of the settlement proposals as accepted by the two parties on 30 August 1988, as well as an outline of the plan provided by the Secretary-General in order to implement those proposals.

9. At its 2929th meeting, on 27 June 1990, the Security Council unanimously adopted resolution 658 (1990), in which, inter alia, it approved the report of the Secretary-General; called upon the two parties to co-operate fully with the Secretary-General of the United Nations and the current Chairman of OAU in their efforts aimed at an early settlement of the question of Western Sahara; and welcomed the intention of the Secretary-General to dispatch, in the immediate future, a technical mission to the Territory and to neighbouring countries, in particular to define the administrative aspects of the outlined plan and to obtain the necessary information for the preparation of a further report to the Security Council.

10. Pursuant to Security Council resolution 658 (1990), the Secretary-General of the United Nations held talks at Geneva from 5 to 9 July 1990 with representatives of Morocco and the Frente POLISARIO on how best to implement the peace plan. 3/

11. In keeping with the provisions of Security Council resolution 658 (1990), the United Nations Technical Survey Mission to Western Sahara and Neighbouring Countries visited the region from 29 July 1990 to 11 August 1990.

12. A further report of the Secretary-General on the progress of his good offices will be submitted to the General Assembly at its forty-fifth session.

IV. POLITICAL AND OTHER DEVELOPMENTS

(covering the period from August 1989 to July 1990)

13. In the final documents adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, 4/ the Heads of State or Government of Non-Aligned Countries

stressed the importance of the agreement in principle, given on 30 August 1988, by the Kingdom of Morocco and the Frente POLISARIO to the joint proposals of the Chairman of OAU and the Secretary-General of the United Nations, on the holding of a referendum of self-determination in Western Sahara to be organized and supervised by the United Nations in co-operation with OAU. They welcomed the meeting held at Marrakech between King Hassan II and a high-level delegation from the Frente POLISARIO, and expressed their conviction that the continuation of a direct dialogue between the two parties would contribute to the restoration of peace in Western Sahara, and of stability and security in the whole region. The Heads of State or Government expressed their satisfaction at the efforts of the current Chairman of OAU, and welcomed the actions taken by the Secretary-General of the United Nations during his recent visits to the region. They urged them to intensify their efforts to resolve the remaining problems, thereby ensuring the necessary conditions for the holding of a referendum without administrative or military constraints. They also welcomed the establishment of a technical commission that would propose a plan for the solution of the existing problems. Further, they stressed their conviction that full and open co-operation by all the parties concerned with the Secretary-General of the United Nations and the current Chairman of OAU in their further efforts was essential for a just and definitive settlement.

14. On 6 October 1989, in his statement during the general debate in the General Assembly (A/44/PV.22), the Minister for Foreign Affairs and Co-operation of Morocco said that starting from its often reiterated commitment to seeing the problem of the so-called Western Sahara resolved by the holding of a referendum on self-determination under the auspices of the United Nations, Morocco had agreed in principle, on 30 May 1988, to the Secretary-General's peace plan. He added that Morocco would continue to support the efforts of the Secretary-General, as well as those of the current Chairman of OAU.

15. On 25 October 1989, the Fourth Committee adopted, without a vote, draft resolution A/C.4/44/L.5 as orally revised on the question of Western Sahara. Subsequently, on the recommendation of the Fourth Committee, on 11 December 1989, the General Assembly adopted the draft resolution without a vote as resolution 44/88 (see para. 3).

16. In a communiqué issued by the Frente POLISARIO at Algiers on 15 November 1989, it was stated that the 200 Moroccan prisoners-of-war who were unilaterally set free by the Frente POLISARIO in June 1989 had called upon European heads of State to intercede with the Moroccan authorities on their behalf to enable them to return home. 5/

17. In another communiqué issued at Algiers, on 16 November 1989, the Frente POLISARIO said that it had launched a major attack against Moroccan troops in the area of Amgala, inflicting on them heavy human and material losses. 6/

18. At a news conference held at Rabat, on 28 November 1989, Mr. Driss Basri, Minister for Interior and Information of Morocco, stated:

> "... the referendum in the Sahara would be the determining referendum that will put an end to all objections. When the United Nations feels all the

necessary conditions are satisfied, and when all the technical measures and practical preparations for carrying out a free and objective referendum in the Sahara are supplied, it will be implemented, and naturally only the result of this referendum can be acceptable to the international community." 7/

19. It was reported at Rabat on 1 December 1989 that the legislative and municipal elections, which were due under the Constitution in September 1990, had been postponed by the House of Representatives of Morocco for two years, in order to allow the organization and conduct of a referendum by the United Nations in Western Sahara. In anticipation of the postponement of the elections, King Hassan II had stated on 24 November 1989 that "the two-year waiting period should allow the referendum to be organized under the best possible conditions and in a peaceful, just and sound manner". In that connection, the King expressed confidence in the Secretary-General of the United Nations, from whom he expected the very best as he did from the United Nations and from all those of good will. The King concluded by stating that if the referendum did not take place within the next two years, he would be "the first to ask the Moroccan people to draw the necessary conclusions in the spirit of responsibility displayed by all sovereign and independent countries."

20. On 12 December 1989, in a written statement to Reuters in Rabat, 12 Moroccan legislators from Western Sahara rejected a call by the United Nations General Assembly for direct talks between Rabat and Frente POLISARIO guerrillas on ending the war in Western Sahara. They demanded that the United Nations Secretary-General should implement the August 1988 United Nations-mediated cease-fire, which had been broken by sporadic fighting. They added that the cease-fire was the responsibility of the United Nations Secretary-General only; it was he who should decide the timing and draw up the details of implementation. 8/

21. Also on 12 December 1989, Mr. Azedine Laraki, Prime Minister of Morocco, stated at Madrid that a dialogue between Morocco and the Frente POLISARIO was "excluded" from any negotiations on a resolution of the Sahara problem. He did reaffirm, however, his Government's disposition to collaborate with the Secretary-General of the United Nations in resolving the problem. He added that "it is essential for members of the POLISARIO organization to be advised to recognize the situation and to make easier the work of the United Nations". 9/

22. On 28 December 1989, on the occasion of the Arab Maghreb Union meeting in Mauritania, the Frente POLISARIO issued at Algiers a statement requesting North African States to put pressure on Morocco to change its policy towards a settlement in Western Sahara. 10/

23. In a statement published on 3 January 1990 at Algiers, the Frente POLISARIO said that Morocco had decided to relocate in 1990 about 4,000 young Saharans from their homes to Morocco and to intensify the policy of depopulating Western Sahara. 11/

24. At the opening session of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, on 22 January 1990, the Secretary-General stated that he was encouraged by the consensus resolution adopted by the General Assembly on 11 December 1989 on the question of Western Sahara (A/AC.109/PV.1362). That

development no doubt was an indication of the continuing support of the international community for the implementation of the United Nations plan leading to a peaceful, fair and lasting solution to that long-standing question.

25. On 24 January 1990, Mr. Bechir Mustapha Sayed, a senior Frente POLISARIO official, said in New York that, in order to create a propitious atmosphere, the Secretary-General of the United Nations had urged the Frente POLISARIO to show greater restraint on the battlefield and had asked Morocco to be more flexible regarding a dialogue between the parties concerned. Mr. Sayed added that the goodwill gestures shown by the Frente POLISARIO in 1989, such as a truce and the release of 200 captured Moroccan soldiers, had been misinterpreted by Morocco as a sign of weakness. He also confirmed that, in a modification of previous demands for the withdrawal of Moroccan troops and administrators from Western Sahara prior to a referendum, the Frente POLISARIO had proposed that both sides should keep an equal number of soldiers and officials in the Territory for an interim period. 12/

26. On 16 February 1990, the Commission on Human Rights meeting in Geneva adopted, without a vote, a resolution on Western Sahara 13/ similar in content to General Assembly resolution 44/88 of 11 December 1990.

27. At the fifty-first ordinary session of the OAU Council of Ministers, held at Addis Ababa from 19 to 24 February 1990, Mr. Mohammed Sidati, Minister for Foreign Affairs of the Saharan Arab Democratic Republic, made a statement in which he underscored the optimism and hope generated by the first public dialogue held in 1989 between Morocco and the Frente POLISARIO. He recalled the unilateral initiative taken subsequently by the Frente POLISARIO to create an atmosphere conducive to dialogue, and mentioned, in particular, the proclamation of a truce which resulted in a significant slowing down of military operations for several months. The Minister added that the gesture of peace and goodwill by the Saharan Arab Democratic Republic did not receive the response expected of Morocco, whose actions had compromised the opportunities for peace in the region. He stressed his country's continued commitment to dialogue and negotiation to overcome the obstacles impeding the process for a peaceful solution of the Western Saharan question.

28. At the same session, the OAU Council of Ministers reiterated its desire for an expeditious solution to the problem of Western Sahara and expressed confidence that the current Chairman and the Secretary-General of OAU, in collaboration with the United Nations Secretary-General, would endeavour to implement the peace plan endorsed by both parties in August 1988.

29. On 20 February 1990, the Frente POLISARIO announced that, during the visit to the region of the Special Representative of the Secretary-General from 22 February to 2 March 1990, it would observ a unilateral truce and until the end of March. 14/

30. At a press conference at Algiers, on 29 March 1990, Mr. Mustapha Sayed, a member of the Frente POLISARIO Executive Committee, announced that Morocco had agreed in principle to the Moroccan army's withdrawal from Western Sahara during the planned referendum. Only the number of soldiers to be withdrawn remained to be determined. The Frente POLISARIO was of the view that only one fifth of the troops should remain, he said. 15/

31. In an interview in Cairo with "Al Hawadeth" of London, on 30 March, Mr. Ahmed Osman, President of the Chamber of Deputies of the Moroccan Parliament, stated that by postponing the general and municipal elections for two years, Morocco wanted to end the delaying manoeuvres of its adversaries. The postponement of the Moroccan elections was the last chance, because Morocco could not remain attached forever to the idea of a referendum. 16/

32. On 2 April 1990, a representative of the Frente POLISARIO stated in Paris that there was new "optimism" among the Saharans following the visit of the Secretary-General of the United Nations to the region. 17/

33. On 16 April 1990, Mr. Brahim Ghali of the Frente POLISARIO said in Paris that his troops might be forced to end the unilateral cease-fire because of what he called Morocco's intransigence. The Frente POLISARIO had extended the cease-fire declared in March in response to an appeal made by the Secretary-General of the United Nations. Mr. Ghali added that, by not responding favourably to the cease-fire extension, Morocco had demonstrated that it did not have the same willingness for a peaceful solution. 18/

34. In response to Mr. Ghali's statement that his organization might resume fighting in Western Sahara, on 20 April 1990, a group of Saharans said at Rabat that the Frente POLISARIO was trying to block United Nations peace efforts. 19/

35. On 31 May 1990, it was reported at Windhoek that Namibia had recognized the "Saharan Arab Democratic Republic", bringing to 72 the number of countries that had thus far recognized it.

36. In his address to the Saharan Identification Commission at Geneva on 7 June 1990 (see para. 7), Mr. Biadillah Mohamed Cheikh, a tribal representative, is reported to have stated that "we will not accept any exclusion, we need all Saharans, men, women, children, in any physical condition, and this has been repeated on many occasions by our country". He added that King Hassan II considered that all authentic Saharans wherever they might be were his faithful subjects and that they would not be excluded from the referendum. He regarded the Geneva meeting of the tribal chiefs as an occasion where the peoples had reconciled and the walls had fallen down. 20/

37. On 9 June 1990, Mr. Souilem Ould Abdullahi, head of the 19 Saharan tribal chiefs designated by the Frente POLISARIO to attend the meetings of the Saharan Identification Commission at Geneva, stated at Algiers that the tribal chiefs were very pleased with the "success" of the meeting despite "Moroccan pressures". 21/

38. On 19 June 1990, at Algiers, Mr. Mohamed Abdelaziz, Secretary-General of the Frente POLISARIO, called upon King Hassan II of Morocco to "reconsider his position and to accept the wisdom and logic of a dialogue and of peace" in Western Sahara. He reaffirmed the "will and determination" of Saharans to "sincerely co-operate with the United Nations in its good offices efforts for peace" in the Territory. He expressed the hope that his appeal "would be heard by the Moroccans so that a new era of peace and co-operation between the two peoples could start". 22/

39. In an OAU press release issued in New York on 4 July 1990, the Secretary-General of OAU was reported to have stated, at the fifty-second session of the OAU Council of Ministers at Addis Ababa, that he strongly believed that the institutional role of OAU in monitoring the evolution of the situation in Western Sahara should be enhanced. 23/

40. In his inaugural address on 9 July 1990 to the Assembly of Heads of State or Government of OAU, President Hosni Mubarak, then Chairman of OAU, referring to the question of Western Sahara, said:

> "We have conducted a number of contacts with the United Nations Secretary-General, Mr. Pérez de Cuéllar, and I can state that the steps taken towards a settlement of the problem have been positive to a great extent ... We have no doubt that the anticipated referendum to be held in the coming months will realize our expectations for strengthening solidarity and good neighbourliness among the States of our great continent". 24/

41. In his message to the OAU Assembly, which was read out on 9 July 1990, the Secretary-General of the United Nations stated that encouraging progress had been made towards the resolution of the problem of Western Sahara. Matters had now reached a point where there was not only an agreed set of proposals for the settlement of the problem but also a precise plan and time-frame for their implementation. 25/

42. On 14 July 1990, Mr. Abdellatif Filali, Minister for Foreign Affairs and Co-operation of Morocco, denied rumours of direct negotiations with the Frente POLISARIO. "Morocco never thought of beginning direct negotiations with POLISARIO", he said. This was a "firm attitude by Morocco of not starting any negotiations with the mercenaries". He said that "negotiations can only take place with the Secretary-General of the United Nations who proposed the peace plan of 30 August 1988 which has been accepted by Morocco and POLISARIO. He did not see any use for direct negotiations with POLISARIO" and added "we have nothing to offer them and they have nothing to offer us". He reiterated Morocco's determination to continue the negotiations and dialogue with the Secretary-General in order to end the tension in the region and to find a definite solution to the problem. 26/

Notes

1/ See United Nations press release SG/1877, 21 May 1990.

2/ S/21360.

3/ See United Nations press release SG/SM/4468, 9 July 1990.

4/ A/44/551-S/20870, annex.

5/ Agence France-Presse dispatch, Algiers, 15 November 1989; see also United Nations Office of Research and the Collection of Information Political Information Bulletin, 15 November 1989.

Notes (continued)

6/ Agence France-Presse dispatch, Algiers, 16 November 1989.

7/ Foreign Broadcast Intelligence Service, Daily Report, FBIS-NES-89-229, 30 November 1989.

8/ Reuters dispatch, Rabat, 12 December 1989.

9/ Agence France-Presse dispatch, Madrid, 12 December 1989; see also United Nations Office of Research and the Collection of Information, Political Information Bulletin, 12 December 1989.

10/ Reuters dispatch, Algiers, 28 December 1989.

11/ Agence France-Presse dispatch, Algiers, 3 January 1990; see also United Nations Office of Research and the Collection of Information, Political Information Bulletin, 3 January 1990.

12/ Reuters dispatch, New York, 24 January 1990.

13/ See Official Records of the Economic and Social Council, 1990, Supplement No. 2 (E/1990/22-E/CN.4/1990/94), chap. II; see also United Nations Press Release (HR/CN/129), 21 February 1990.

14/ Reuters dispatch, Algiers, 20 February 1990.

15/ United Nations Office for Research and the Collection of Information, Political Information Bulletin, 29 March 1990.

16/ Maghreb Arab Presse dispatch, London, 30 March 1990.

17/ United Nations Office of Research and the Collection of Information, Political Information Bulletin, 2 April 1990.

18/ Reuters dispatch, Paris, 16 April 1990.

19/ Ibid., Rabat, 20 April 1990.

20/ Maghreb Arab Presse dispatch, Algiers, 7 June 1990.

21/ Agence France-Presse dispatch, Algiers, 9 June 1990.

22/ Ibid., 19 June 1990.

23/ Organization of African Unity press release Diary No. 2, New York, 4 July 1990.

24/ Press release issued by the Permanent Mission of Egypt to the United Nations, New York, 10 July 1990.

Notes (continued)

25/ United Nations press release SG/SM/4470, 10 July 1990.

26/ Agence France-Presse dispatch, Rabat, 14 July 1990; see also Maghreb Arab Presse dispatch, 14 July 1990.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1048/Corr.1
15 August 1990

ENGLISH AND FRENCH ONLY

SPECIAL COMMITTEE ON THE SITUATION
WITH REGARD TO THE IMPLEMENTATION
OF THE DECLARATION ON THE GRANTING
OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

WESTERN SAHARA

Working paper prepared by the Secretariat

Corrigendum

Page 6, paragraph 5, line 2

For leader read leaders

90-19259 1864j (E)

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1049
16 August 1990

SPECIAL COMMITTEE ON THE SITUATION
WITH REGARD TO THE IMPLEMENTATION
OF THE DECLARATION ON THE GRANTING
OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

QUESTION OF NEW CALEDONIA

Resolution adopted by the Special Committee at its
1369th meeting, on 13 August 1990

The Special Committee,

Having considered the question of New Caledonia,

Reaffirming the importance of the universal realization of the right of peoples to self-determination,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the positive measures that continue to be pursued in New Caledonia by the French authorities, in co-operation with all sectors of the population, to promote political, economic and social development in the Territory, in order to provide a framework for its peaceful progress to self-determination,

Acknowledging the close links between New Caledonia and the peoples of the South Pacific, and the positive actions of the French authorities to facilitate the further development of those links,

1. Urges all the parties involved, in the interest of all the people of New Caledonia, to maintain, in a spirit of harmony, their dialogue;

2. Invites all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open, and which would safeguard the rights of all New Caledonians;

3. Decides, subject to any directives which the General Assembly may give at its forty-fifth session, to continue to consider the item at its next session.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1050
14 August 1990

SPECIAL COMMITTEE ON THE SITUATION WITH
REGARD TO THE IMPLEMENTATION OF THE
DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES
AND PEOPLES

QUESTION OF THE FALKLAND ISLANDS (MALVINAS)

Resolution adopted by the Special Committee at its
1370th meeting, on 14 August 1990

The Special Committee,

Having considered the question of the Falkland Islands (Malvinas),

Aware that the maintenance of colonial situations is incompatible with the United Nations ideal of universal peace,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960, 2065 (XX) of 16 December 1965, 3160 (XXVIII) of 14 December 1973, 31/49 of 1 December 1976, 37/9 of 4 November 1982, 38/12 of 16 November 1983, 39/6 of 1 November 1984, 40/21 of 27 November 1985, 41/40 of 25 November 1986, 42/19 of 17 November 1987 and 43/25 of 17 November 1988 and its resolutions A/AC.109/756 of 1 September 1983, A/AC.109/793 of 20 August 1984, A/AC.109/842 of 9 August 1985, A/AC.109/885 of 14 August 1986, A/AC.109/930 of 14 August 1987, A/AC.109/972 of 11 August 1988 and A/AC.109/1008 of 15 August 1989 and Security Council resolutions 502 (1982) of 3 April 1982 and 505 (1982) of 26 May 1982,

Distressed that, notwithstanding the time that has elapsed since the adoption of General Assembly resolution 2065 (XX), this prolonged dispute has not yet been settled,

Aware of the interest of the international community in the resumption by the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland of their negotiations in order to find as soon as possible a peaceful, just and lasting solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas),

Taking note with interest of the re-establishment of diplomatic relations between Argentina and the United Kingdom, and of the agreements contained in the Argentine-British Declarations issued in Madrid on 19 October 1989 1/ and on 15 February 1990, 2/

Considering that the new process of dialogue and co-operation between Argentina and the United Kingdom should facilitate the resumption of the negotiations in order to find a peaceful solution to the dispute over sovereignty,

Reaffirming the principles of the Charter of the United Nations on the non-use of force or the threat of force in international relations and the peaceful settlement of international disputes,

Calling attention to the importance of the Secretary-General continuing his efforts to give full effect to the mission entrusted to him by the General Assembly in its resolutions on the question of the Falkland Islands (Malvinas),

Reaffirming the need for the parties to take due account of the interests of the population of the islands in accordance with the provisions of the General Assembly resolutions on the question of the Falkland Islands (Malvinas),

1. Reiterates that the way to put an end to the special and particular colonial situation in the question of the Falkland Islands (Malvinas) is the peaceful and negotiated settlement of the dispute over sovereignty between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland;

2. Takes note with satisfaction of the fact that the Government of Argentina has reiterated its intention to comply with the General Assembly resolutions referring to the question of the Falkland Islands (Malvinas);

3. Regrets that, in spite of such circumstance and of the widespread international support for a negotiation between the Governments of Argentina and the United Kingdom that includes all aspects on the future of the Falkland Islands (Malvinas), the implementation of the General Assembly resolutions on this question has not yet started;

4. Urges the Governments of Argentina and the United Kingdom to consolidate the current process of dialogue and bilateral co-operation through the resumption of negotiations in order to find as soon as possible a peaceful solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas), in accordance with the provisions of General Assembly resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25;

1/ A/44/678-S/20915.

2/ A/45/136-S/21159.

5. Reiterates its firm support for the renewed mission of good offices undertaken by the Secretary-General in order to assist the parties in complying with the request made by the General Assembly in its resolutions on the question of the Falkland Islands (Malvinas);

6. Decides to keep under review the question of the Falkland Islands (Malvinas) subject to the directives that the General Assembly has issued and may issue in that regard.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1051
16 August 1990

SPECIAL COMMITTEE ON THE SITUATION
WITH REGARD TO THE IMPLEMENTATION
OF THE DECLARATION ON THE GRANTING
OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

SPECIAL COMMITTEE DECISION OF 17 AUGUST 1989 CONCERNING PUERTO RICO

Resolution adopted by the Special Committee at its 1373rd meeting, on 15 August 1990

The Special Committee,

Recalling the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, and the resolutions and decisions of the Special Committee concerning Puerto Rico,

Having examined the report of the Rapporteur of the Special Committee on the implementation of the resolutions concerning Puerto Rico, 1/

Having heard statements and testimony representative of various viewpoints among the people of Puerto Rico and their social institutions,

Bearing in mind the agreement of the Puerto Rican political leadership to request the President of the United States of America and the United States Congress to adopt legislation with a view to consulting the people of Puerto Rico so that they may express themselves freely, voluntarily and democratically on their political future,

---

1/ A/AC.109/L.1746.

Also bearing in mind that the United States Congress is initiating a legislative process, with the participation of the main political parties of Puerto Rico, with a view to facilitating consultations with the people of Puerto Rico on their political future but that so far no law has been adopted in this respect,

Aware of the appeal made by the President of the United States of America, Mr. George Bush, to the Congress that it take the necessary steps to allow the people of Puerto Rico to reach a decision through a referendum,

1. Reaffirms the inalienable right of the people of Puerto Rico to self-determination and independence, in conformity with General Assembly resolution 1514 (XV), and the applicability of the fundamental principles of that resolution with respect to Puerto Rico;

2. Expresses its hope, and that of the international community, that, in accordance with the best interests of the people of Puerto Rico, the dialogue should continue and that legal measures should be adopted which will bring to a successful conclusion, as soon as possible, a process leading to the self-determination of the Puerto Rican people;

3. Exhorts all the interested parties to co-operate so that the people of Puerto Rico may exercise without hindrance their right to self-determination with the express recognition of the people's sovereignty and full political equality, in conformity with the doctrine and practice of the United Nations;

4. Requests the Rapporteur to report to the Special Committee on the implementation of its resolutions concerning Puerto Rico;

5. Decides to keep the question of Puerto Rico under continuing review.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1052
21 August 1990

SPECIAL COMMITTEE ON THE SITUATION WITH
REGARD TO THE IMPLEMENTATION OF THE
DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES
AND PEOPLES

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS

Resolution adopted by the Special Committee at its 1376th meeting, on 20 August 1990

The Special Committee,

Having examined the reports submitted by the Secretary-General, 1/ the Chairman 2/ and the Sub-Committee on Petitions, Information and Assistance 3/ on the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, resolution 1541 (XV) of 15 December 1960, and the Plan of Action for the Full Implementation of the Declaration, contained in the annex to Assembly resolution 35/118 of 11 December 1980, as well as all other relevant resolutions adopted by the Assembly on this subject, including in particular resolution 44/85 of 11 December 1989,

---

1/ A/45/309.

2/ A/AC.109/L.1740.

3/ A/AC.109/L.1722.

Recalling also General Assembly resolution S-16/1 of 14 December 1989, containing the Declaration on Apartheid and its Destructive Consequences in Southern Africa,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity,

Noting with satisfaction the attainment of independence by Namibia following the holding of free and fair elections under the supervision and control of the United Nations, and the subsequent admission of independent Namibia as a Member of the United Nations on 23 April 1990,

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

Recalling relevant resolutions of the Caribbean Development and Co-operation Committee concerning the access of Non-Self-Governing Territories to programmes and activities of the United Nations system,

Noting the assistance extended thus far to colonial Territories by certain specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, and considering that such assistance should be expanded further, commensurate with the pressing needs of the peoples concerned for external assistance,

Stressing the importance of securing additional resources for funding expanding programmes of assistance for the peoples concerned and the need to enlist the support of the major funding institutions within the United Nations system in that regard,

Noting with deep concern that destabilization by South Africa of the front-line and neighbouring States, whether through direct aggression, sponsorship of surrogates, economic subversion or other means, the forms and consequences of which stand well documented in United Nations and other publications, is unacceptable in all its forms and must not occur,

Reaffirming the responsibility of the specialized agencies and other organizations of the United Nations system to take all the necessary measures, within their respective spheres of competence, to ensure the full and speedy implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations, particularly those relating to the extension of assistance to the peoples of the colonial Territories,

Expressing its appreciation to the General Secretariat of the Organization of African Unity for the continued co-operation and assistance it has extended to the specialized agencies and other organizations of the United Nations system in connection with the implementation of the relevant resolutions of the United Nations, and convinced that closer contacts and consultations between the

specialized agencies and other organizations of the United Nations system and regional organizations help to facilitate the effective formulation of assistance programmes to the peoples concerned,

Noting with grave concern the extensive links and collaboration between the apartheid régime of South Africa and certain countries in the political, diplomatic, economic, nuclear, military and other fields, and the growing military and nuclear co-operation between racist Pretoria and Israel,

Bearing in mind the importance of the activities of non-governmental organizations aimed at putting an end to the assistance which is still being rendered to South Africa by some specialized agencies,

Mindful of the imperative need to keep under continuous review the activities of the specialized agencies and other organizations of the United Nations system in the implementation of the various United Nations decisions relating to decolonization,

Bearing in mind the extremely fragile economies of the small island Territories and their vulnerability to natural disasters, such as hurricanes and cyclones, and recalling relevant resolutions of the General Assembly,

1. Takes note of the report of its Chairman on his consultations with the President of the Economic and Social Council 2/ and endorses the observations and suggestions arising therefrom; 4/

2. Takes note of the report of the Sub-Committee on Petitions, Information and Assistance and the conclusions and recommendations contained therein; 3/

3. Reaffirms that the specialized agencies and other organizations and institutions of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute, within their spheres of competence, to the full and speedy implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

4. Reaffirms also that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the struggle of colonial peoples to exercise their right to self-determination and independence entails, as a corollary, the extension by the specialized agencies and other organizations of the United Nations system of all the necessary moral and material assistance to those peoples and their national liberation movements;

5. Expresses its appreciation to those specialized agencies and other organizations of the United Nations system that have continued to co-operate in varying degrees with the United Nations and the Organization of African Unity in the implementation of General Assembly resolution 1514 (XV) and other relevant

---

4/ E/1990/72.

resolutions of the United Nations, and urges all the specialized agencies and other organizations of the United Nations system to accelerate the full and speedy implementation of the relevant provisions of those resolutions;

6. Requests the specialized agencies and other organizations of the United Nations system to render or continue to render, as a matter of urgency, all possible moral and material assistance to the colonial peoples, bearing in mind that such assistance should not only meet their immediate needs but also create conditions for development after they have exercised their right to self-determination and independence;

7. Requests once again the specialized agencies and other organizations of the United Nations system to continue to provide all humanitarian, material and moral assistance to Namibia and all newly independent and emerging States so as to enable them to achieve genuine economic independence;

8. Reiterates its recommendation that the specialized agencies and other organizations of the United Nations system should initiate or broaden contacts and co-operation with the colonial peoples and the administering Powers concerned, directly or, where appropriate, through regional organizations, in order to intensify programmes of assistance, to facilitate and to accelerate the implementation of General Assembly resolution 1514 (XV);

9. Urges the executive heads of the specialized agencies and other organizations of the United Nations system, in co-operation with the regional and other organizations where appropriate, to submit to their governing and legislative organs concrete proposals for the full implementation of the relevant United Nations decisions, particularly specific programmes of assistance to the peoples of the colonial Territories and their national liberation movements;

10. Urges once again the executive heads of the World Bank and the International Monetary Fund to draw the attention of their governing bodies to the present resolution and urges them to introduce flexible procedures to prepare specific programmes for the peoples of the colonial Territories;

11. Urges the specialized agencies and other organizations of the United Nations system that have not already done so to include in the agenda of the regular meetings of their governing bodies a separate item on the progress they have made in the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

12. Also requests the specialized agencies and other organizations of the United Nations system, as well as international and regional organizations, to take appropriate measures within their respective spheres of competence in order to accelerate progress in the economic and social sectors of those Territories;

13. Welcomes the continued initiative exercised by the United Nations Development Programme in maintaining close liaison among the specialized agencies and other organizations of the United Nations system, and in co-ordinating the activities of the agencies in extending effective assistance to the peoples of

colonial Territories, and calls upon the specialized agencies and other organizations of the United Nations system, as a matter of urgency, to contribute generously to the relief, rehabilitation and reconstruction efforts in those Non-Self-Governing Territories affected by natural disasters;

14. Urges the administering Powers concerned to facilitate the participation of the representatives of the Governments of Trust and Non-Self-Governing Territories at the relevant meetings and conferences of the agencies and organizations so that the Territories may draw the maximum benefits from the related activities of the specialized agencies and other organizations of the United Nations system;

15. Further urges the specialized agencies and other organizations of the United Nations system to adhere to the Programme of Action contained in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, in particular with regard to increased support for the opponents of apartheid, the use of concerted and effective measures aimed at applying pressure to ensure a speedy end to apartheid and ensuring the non-relaxation of existing measures to encourage the South African régime to eradicate apartheid until there is clear evidence of profound and irreversible changes;

16. Stresses, in the context of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, the need for the specialized agencies and other organizations of the United Nations system to render all possible assistance to the front-line and neighbouring States to enable them to rebuild their economies, which have been adversely affected by South Africa's acts of aggression and destabilization, to withstand any further such acts and to continue to support the people of South Africa;

17. Invites the specialized agencies and other organizations of the United Nations system to co-operate with the Action for Resisting Invasion, Colonialism and Apartheid Fund set up by the Eighth Conference of Heads of State or Government of Non-Aligned Countries, held at Harare from 1 to 6 September 1986, in the common objective of providing emergency assistance to the front-line States and national liberation movements struggling against the apartheid régime;

18. Condemns the extensive links and collaboration between the apartheid régime of South Africa and certain countries in the political, diplomatic, economic, nuclear, military and other fields, and the growing military and nuclear co-operation between the racist régime and Israel;

19. Recommends that all Governments should intensify their efforts in the specialized agencies and other organizations of the United Nations system of which they are members to ensure the full and effective implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations and, in that connection, should accord priority to the question of providing assistance on an emergency basis to the peoples of the colonial Territories;

20. Requests the Secretary-General to continue to assist the specialized agencies and other organizations of the United Nations system in working out appropriate measures for implementing the relevant resolutions of the United Nations and to prepare for submission to the relevant bodies, with the assistance of those agencies and organizations, a report on the action taken in implementation of the relevant resolutions, including the present resolution, since the circulation of his previous report;

21. Requests the Economic and Social Council to continue, as appropriate, to consider, in consultation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, appropriate measures for co-ordination of the policies and activities of the specialized agencies and other organizations of the United Nations system in implementing the relevant resolutions of the General Assembly;

22. Requests the specialized agencies to report periodically to the Secretary-General on the implementation of the present resolution;

23. Decides, subject to any directives the General Assembly might wish to give at its forty-fifth session, to continue to examine the question and to report to the Assembly at its forty-sixth session.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1053
21 August 1990

SPECIAL COMMITTEE ON THE SITUATION WITH
REGARD TO THE IMPLEMENTATION OF THE
DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES
AND PEOPLES

ACTIVITIES OF FOREIGN ECONOMIC AND OTHER INTERESTS WHICH ARE IMPEDING THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER COLONIAL DOMINATION AND EFFORTS TO ELIMINATE COLONIALISM, APARTHEID AND RACIAL DISCRIMINATION IN SOUTHERN AFRICA

Resolution adopted by the Special Committee at its 1376th meeting, on 20 August 1990

The Special Committee,

Having considered the item entitled "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa",

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, resolution 1541 (XV) of 15 December 1960, and the Plan of Action for the Full Implementation of the Declaration, contained in the annex to Assembly resolution 35/118 of 11 December 1980, as well as all other relevant resolutions adopted by the Assembly on this subject, including in particular resolution 44/84 of 11 December 1989,

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming that those economic and other activities that impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and obstruct efforts aimed at the elimination of colonialism, apartheid and racial discrimination in southern Africa and other colonial Territories are in direct violation of the rights of the inhabitants and of the principles of the Charter and all relevant resolutions of the United Nations,

Reaffirming that the natural resources of all Territories under colonial and racist domination are the heritage of the peoples of those Territories and that the depletive exploitation of those resources by foreign economic interests constitutes a direct violation of the rights of the peoples and of the principles of the Charter and all relevant resolutions of the United Nations,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity,

Condemning the intensified activities of those foreign economic, financial and other interests that continue to exploit the natural and human resources of the colonial Territories and to accumulate and repatriate huge profits to the detriment of the interests of the inhabitants, thereby impeding the realization by the peoples of the Territories of their legitimate aspirations for self-determination and independence,

Strongly condemning the collaboration by certain countries with the racist minority régime of South Africa in the nuclear field which, by providing that régime with nuclear equipment and technology, enables it to develop nuclear and military capabilities and to become a nuclear Power, thereby strengthening its abhorrent system of apartheid,

Concerned about any foreign economic, financial and other activities which continue to deprive the indigenous populations of colonial Territories in the Caribbean, the Pacific Ocean and other regions, of their rights over the wealth of their countries, and where the inhabitants of those Territories continue to suffer from a loss of land ownership as a result of the failure of the administering Powers concerned to restrict the sale of land to foreigners, despite the repeated appeals of the General Assembly,

Conscious of the continuing need to mobilize world public opinion against the involvement of foreign economic, financial and other interests in the exploitation of natural and human resources, which impedes the independence of colonial Territories and the elimination of racism, particularly in South Africa, and emphasizing the importance of action by local authorities, trade unions, religious bodies, academic institutions, mass media, solidarity movements and other non-governmental organizations, as well as individuals, in applying pressure on such transnational corporations to refrain from any investment or activity in South Africa, in encouraging a policy of systematic divestment of any financial or other interest in corporations doing business with South Africa and in counteracting all forms of collaboration with the apartheid régime,

1. Reaffirms the inalienable right of the peoples of dependent Territories to self-determination and independence and to the enjoyment of the natural resources of their Territories, as well as their right to dispose of those resources in their best interests;

2. Reiterates that any administering or occupying Power that deprives the colonial peoples of the exercise of their legitimate rights over their natural resources or subordinates the rights and interests of those peoples to foreign economic and financial interests violates the solemn obligations it has assumed under the Charter of the United Nations;

3. Reaffirms that, by their depletive exploitation of natural resources, the continued accumulation and repatriation of huge profits and the use of those profits for the enrichment of foreign settlers and the perpetuation of colonial domination and racial discrimination in the Territories, the activities of foreign economic, financial and other interests operating at present in the colonial Territories constitute a major obstacle to political independence and racial equality, as well as to the enjoyment of the natural resources of those Territories by the indigenous inhabitants;

4. Condemns those activities of foreign economic and other interests in the colonial Territories that are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and the efforts to eliminate colonialism, apartheid and racial discrimination;

5. Strongly condemns the collaboration of certain countries, in particular Israel, with the racist minority régime of South Africa in the nuclear field and calls upon those and all other Governments concerned to refrain from supplying that régime, directly or indirectly, with installations, equipment or material that might enable it to produce uranium, plutonium and other nuclear materials, reactors or military equipment;

6. Strongly condemns the collaboration with the racist minority régime of South Africa of certain countries as well as transnational corporations that continue to make new investments in South Africa and supply the régime with armaments, nuclear technology and all other materials that are likely to buttress it and thus aggravate the threat to world peace;

7. Calls upon all States to take urgent, effective measures to terminate all collaboration with the racist régime of South Africa in the political, economic, trade, military and nuclear fields and to refrain from entering into other relations with that régime in violation of the relevant resolutions of the United Nations and of the Organization of African Unity;

8. Calls once again upon all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in colonial Territories that are detrimental to the

interests of the inhabitants of those Territories, in order to put an end to such enterprises and to prevent new investments that run counter to the interests of the inhabitants of those Territories;

9. Calls upon those oil-producing and oil-exporting countries that have not yet done so to take effective measures against the oil companies concerned so as to terminate the supply of crude oil and petroleum products to the racist régime of South Africa;

10. Reiterates that the exploitation and plundering of the marine and other natural resources of colonial Territories by foreign economic interests, including the activities of those transnational corporations that are engaged in the exploitation and export of the natural resources of the Territories, in violation of the relevant resolutions of the General Assembly and the Security Council, are illegal and are a grave threat to the integrity and prosperity of those Territories;

11. Reiterates its request to all States, pending the imposition of comprehensive mandatory sanctions against South Africa, to take legislative, adminstrative and other measures, individually or collectively, as appropriate, in order effectively to isolate South Africa politically, economically, militarily and culturally, in accordance with the relevant resolutions of the General Assembly, and encourages those Governments that have recently taken certain unilateral sanction measures against the South African régime to take further measures;

12. Invites all Governments and organizations of the United Nations system, having regard to the relevant provisions of the Declaration on the Establishment of a New International Economic Order, contained in General Assembly resolution 3201 (S-VI) of 1 May 1974, and of the Charter of Economic Rights and Duties of States, contained in Assembly resolution 3281 (XXIX) of 12 December 1974, to ensure, in particular, that the permanent sovereignty of the colonial Territories over their natural resources is fully respected and safeguarded;

13. Urges the adminstering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the colonial Territories to their natural resources and to establish and maintain control over their future development, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

14. Calls upon the administering Powers concerned to abolish all discriminatory and unjust wage systems and working conditions prevailing in the Territories under their administration and to apply in each Territory a uniform system of wages to all the inhabitants without any discrimination;

15. Requests the Secretary-General to undertake, through the Department of Public Information of the Secretariat, a sustained and broad campaign with a view to informing world public opinion of the facts concerning the pillaging of natural resources in colonial Territories and the exploitation of their indigenous populations by foreign economic interests;

16. Appeals to mass media, trade unions and non-governmental organizations, as well as individuals, to co-ordinate and intensify their efforts to mobilize international public opinion against the policy of the apartheid régime of South Africa and to work for the enforcement of economic and other sanctions against that régime and for encouraging a policy of systematic and genuine divestment from corporations doing business in South Africa;

17. Decides to continue to monitor closely the situation in the remaining colonial Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interests of the indigenous peoples, at promoting the economic and financial viability of those Territories and at speeding their accession to independence and, in that connection, requests the administering Powers concerned to ensure that the peoples of the Territories under their adminstration are not exploited for political, military and other purposes detrimental to their interests;

18. Decides to keep the item under continuous review.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1054
21 August 1990

SPECIAL COMMITTEE ON THE SITUATION WITH
REGARD TO THE IMPLEMENTATION OF THE
DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES
AND PEOPLES

MILITARY ACTIVITIES AND ARRANGEMENTS BY COLONIAL POWERS IN TERRITORIES UNDER THEIR ADMINISTRATION WHICH MIGHT BE IMPEDING THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Decision adopted by the Special Committee at its 1376th meeting, on 20 August 1990

1. The Special Committee, having considered the item entitled "Military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples" and recalling General Assembly resolution 1514 (XV) of 14 December 1960 and all other relevant resolutions and decisions of the United Nations relating to military activities in Non-Self-Governing Territories, and conscious that military bases and installations in the Territories concerned could constitute an obstacle to the exercise by the people of those Territories of their right to self-determination, reiterates its strong views that existing bases and installations, which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, should be withdrawn and that no further entrenchment should be condoned.

2. In recalling General Assembly resolution 1514 (XV) and all other relevant resolutions and decisions of the United Nations relating to military bases and installations in colonial and Non-Self-Governing Territories, the Special Committee reaffirms its strong conviction that the presence of military bases and installations in the colonial and Non-Self-Governing Territories could constitute a major obstacle to the implementation of the Declaration and that it is the responsibility of the administering Powers to ensure that the existence of such

bases and installations does not hinder the populations of the Territories from exercising their right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations and the Declaration. Furthermore, aware of the presence of military bases and installations of the administering Powers concerned and other countries in those Territories, the Committee urges the administering Powers concerned to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States and to comply fully with the purposes and principles of the Charter, the Declaration and the resolutions and decisions of the United Nations relating to military activities and arrangements by colonial Powers in Territories under their administration.

3. The Special Committee reiterates its condemnation of all military activities and arrangements by colonial Powers in Territories under their administration that are detrimental to the rights and interests of the colonial peoples concerned, especially their right to self-determination and independence. The Committee once again calls upon the colonial Powers concerned to terminate unconditionally such activities and to eliminate such military bases in compliance with the relevant resolutions of the General Assembly, in particular with paragraph 9 of the Plan of Action for the Full Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in the annex to Assembly resolution 35/118 of 11 December 1980.

4. The Special Committee reiterates that the colonial Territories and areas adjacent thereto should not be used for nuclear testing, dumping of nuclear wastes or deployment of nuclear and other weapons of mass destruction.

5. The Special Committee notes with serious concern that, in southern Africa in general, a critical situation continues to prevail as a result of South Africa's inhuman repression of the people of South Africa. The Committee declares that the policy of apartheid and destabilization not only undermines the peace and stability of the southern African region but also constitutes a threat to international peace and security.

6. The Special Committee condemns the continued military, nuclear and intelligence collaboration between South Africa and certain countries, which constitutes a violation of the arms embargo imposed against South Africa by the Security Council in its resolution 418 (1977) of 4 November 1977, and which poses a threat to international peace and security. The Special Committee urges the Council to consider, as a matter of urgency, the report of the Committee established under its resolution 421 (1977) of 9 December 1977 1/ and adopt further measures to widen the scope of its resolution 418 (1977) in order to make it more effective and comprehensive. The Special Committee also calls for the scrupulous observance of Council resolution 558 (1984) of 13 December 1984 enjoining Member

---

1/ Official Records of the Security Council, Thirty-fifth Year, Supplement for July, August and September 1980, document S/14179.

States to refrain from importing armaments from South Africa. The Committee is particularly mindful in that regard of a series of resolutions adopted by the Security Council, 2/ the General Assembly, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Special Committee against Apartheid, as well as the Movement of Non-Aligned Countries, the Organization of African Unity, the Commonwealth and a number of intergovernmental and regional organizations.

7. The Special Committee considers that the acquisition of nuclear-weapon capability by the racist régime of South Africa, with its infamous record of violence and aggression, constitutes a further effort on its part to terrorize and intimidate independent States in the region into submission while also posing a threat to all mankind. The Committee condemns the continuing support to the racist régime of South Africa in the military and nuclear fields. In this context, the Committee expresses its concern at the grave consequences for international peace and security of the collaboration between the racist régime of South Africa and certain Western Powers, Israel and other countries in the military and nuclear fields. It calls upon the States concerned to end all such collaboration and, in particular, to halt the supply to South Africa of equipment, technology, nuclear materials and related training, which increases its nuclear capability.

8. The Special Committee strongly condemns the continuing collaboration of certain countries with the racist régime in the military and nuclear fields and expresses its conviction that such collaboration is in contravention of the arms embargo imposed against South Africa under Security Council resolution 418 (1977) and undermines international solidarity against the apartheid régime. The Committee thus calls for the termination forthwith of all such collaboration.

9. The Special Committee urges all Governments, the specialized agencies and other intergovernmental organizations to provide increased material assistance to the thousands of refugees who have been forced by the apartheid régime's oppressive policies in South Africa to flee into the neighbouring States and for the purpose of resettlement of those who are returning.

10. The Special Committee deprecates the continued alienation of land in colonial Territories for military installations. The large-scale utilization of local economic and manpower resources for this purpose diverts resources that could be more beneficially utilized in promoting the economic development of the Territories concerned and is thus contrary to the interests of their populations.

2/ Security Council resolutions 567 (1985) of 20 June 1985, 568 (1985) of 21 June 1985, 571 (1985) of 20 September 1985, 574 (1985) of 7 October 1985, 577 (1985) of 6 December 1985, 580 (1985) of 30 December 1985, 581 (1986) of 13 February 1986, 602 (1987) of 25 November 1987 and 606 (1987) of 23 December 1987.

11. The Special Committee requests the Secretary-General to continue, through the Department of Public Information of the Secretariat, an intensified campaign of publicity with a view to informing world public opinion of the facts concerning the military activities and arrangements in colonial Territories which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV).

12. The Special Committee decides, subject to any directives that the General Assembly may give in this connection at its forty-fifth session, to continue to consider the item at its next session.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1055
23 August 1990

SPECIAL COMMITTEE ON THE SITUATION
WITH REGARD TO THE IMPLEMENTATION
OF THE DECLARATION ON THE GRANTING
OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

THIRTIETH ANNIVERSARY OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Resolution adopted by the Special Committee at its 1376th meeting, on 20 August 1990

The Special Committee,

Recalling the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Recalling also General Assembly resolution 43/47 of 22 November 1988, entitled "International Decade for the Eradication of Colonialism",

Having held, in the year of the forty-fifth anniversary of the United Nations, a special plenary meeting in observance of the thirtieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling the provisions of the Charter of the United Nations, in which the peoples of the world proclaimed their determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

Recalling also the relevant provisions of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, 1/

1/ General Assembly resolution 2625 (XXV), annex.

Recalling further General Assembly resolutions 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and 35/118 of 11 December 1980, the annex to which contains the Plan of Action for the Full Implementation of the Declaration, as well as Assembly resolution 40/56 of 2 December 1985,

Considering that the process of national liberation is irresistible and irreversible, and recalling that the Declaration solemnly proclaimed the necessity speedily and unconditionally to put an end to colonialism in all its forms and manifestations,

Recognizing the significant and commendable role played by the United Nations, since its very inception, in the field of decolonization and noting the emergence, during this period, of more than one hundred States into sovereign existence, in particular noting with satisfaction the attainment of independence by Namibia following the holding of free and fair elections under the supervision and control of the United Nations, and the subsequent admission of independent Namibia as a Member of the United Nations on 23 April 1990,

Noting with satisfaction, in particular, that during the past thirty years a large number of former colonial Territories have achieved independence, mainly through the courageous liberation struggle carried out by the peoples of those countries, led by their national liberation movements, and that many former Trust and Non-Self-Governing Territories have exercised their right to self-determination and independence in accordance with the Declaration,

Noting also with satisfaction the important contribution made by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in furthering the aims and objectives of the Declaration with a view to the liberation of peoples from colonial rule,

Noting further with satisfaction the active and important role being played by former colonial Territories, as States Members of the United Nations and members of the other organizations of the United Nations system in the realization of the purposes and principles of the Charter, the preservation of international peace and security, decolonization and the promotion of human progress, as well as the profound impact thereof on contemporary international relations,

Conscious of the fact that the Declaration has played an important role in assisting the peoples under colonial rule and will continue to serve as an inspiration in their efforts to achieve self-determination and independence in accordance with the Charter and in mobilizing world public opinion for the complete elimination of colonialism in all its forms and manifestations,

Noting with satisfaction the work accomplished by the two regional seminars held by the Special Committee in Vanuatu and Barbados on the occasion of the thirtieth anniversary of the Declaration, 2/

Deeply concerned at the fact that, thirty years after the adoption of the Declaration, colonialism in the world has not yet been totally eradicated,

Reaffirming that all peoples have the right to self-determination and independence and that the subjection of peoples to colonial domination constitutes a denial of fundamental human rights and is a serious impediment to the maintenance of international peace and security and the development of peaceful relations among nations,

Increasingly aware of the importance of economic, social and cultural development and self-reliance of colonial countries and peoples for the attainment and consolidation of genuine independence,

Convinced that the total eradication of racial discrimination, apartheid and violations of the basic human rights of the peoples in the remaining colonial Territories will be achieved peacefully and most expeditiously by the faithful and complete implementation of the Declaration,

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

Determined to take effective measures leading to the complete and unconditional elimination of colonialism in all its forms and manifestations without further delay,

1. Reaffirms the inalienable right of all peoples under colonial rule to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV);

2. Declares that the continuation of colonialism in all its forms and manifestations, including racism and apartheid, is incompatible with the Charter of the United Nations, the Declaration and the principles of international law;

3. Expresses its conviction that the thirtieth anniversary of the Declaration should provide an opportunity for Member States to rededicate themselves to the principles and objectives enunciated in that document and for concerted efforts to be made to remove the last vestiges of colonialism in all regions of the world;

4. Strongly condemns South Africa's aggressive activities and acts of destabilization against neighbouring independent African States and its policies of

---

2/ See A/AC.109/1040 and Corr.1 and A/AC.109/1043.

apartheid, as well as its acquisition of nuclear-weapon capability, the use of which would heighten tension and increase the threat to regional as well as international peace and security;

5. Calls upon Member States, in particular colonial Powers, to take effective steps with a view to the complete, unconditional and speedy eradication of colonialism in all its forms and manifestations and to the faithful and strict observance of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights, 3/ as well as other relevant resolutions and decisions of the General Assembly and those of the Security Council;

6. Urges Member States to do their utmost to promote, in the United Nations and the specialized agencies and other organizations of the United Nations system, effective measures for the full and speedy implementation of the Declaration in all colonial Territories to which the Declaration applies;

7. Calls upon Member States to render, as a matter of urgency, all moral and material assistance to the peoples under colonial rule in their struggle to exercise their right to self-determination and independence, in accordance with the Charter and the Declaration;

8. Urges the administering Powers and other Member States to ensure that the activities of foreign economic and other interests in colonial Territories do not run counter to the interests of the inhabitants of those Territories and do not impede the implementation of the Declaration;

9. Urges Member States to discontinue all economic, financial, trade and other relations with the racist minority régime of South Africa that run counter to the Declaration on Apartheid and its Destructive Consequences in Southern Africa 4/ and to refrain from entering into any relations which may lend legitimacy or support to its policies of apartheid;

10. Requests Member States, as well as the organizations of the United Nations system, to ensure that the permanent sovereignty of the colonial Territories over their natural resources is fully respected and safeguarded;

11. Reiterates the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy exercise by the peoples of the Non-Self-Governing Territories of their inalienable right to self-determination and independence in conformity with the Declaration contained in General Assembly resolution 1514 (XV), which fully applies to the dependent Territories;

3/ General Assembly resolution 217 A (III).

4/ General Assembly resolution S-16/1.

12. Reaffirms that all administering Powers are obliged, under the Charter and in accordance with the Declaration, to create economic, social and other conditions in the Territories under their administration which will enable those Territories to achieve genuine independence and economic self-reliance;

13. Requests the administering Powers concerned to adopt the necessary measures to discourage or prevent any systematic influx of immigrants and settlers into the Territories under their administration which might disrupt the demographic composition of those Territories and prevent the genuine exercise of the right of self-determination and independence by their peoples, and to avoid any forced displacement, complete or partial, of the population of colonial Territories;

14. Further requests the administering Powers to preserve the cultural identity, as well as the national unity, of the Territories under their administration and to encourage the full development of the indigenous culture, with a view to facilitating the unfettered exercise of the right to self-determination and independence by the peoples of those Territories;

15. Reaffirms its strong conviction that the presence of all kinds of military bases and installations in colonial Territories could constitute a major obstacle to the implementation of the Declaration and that it is the responsibility of the administering Powers concerned to ensure that the existence of such bases and installations does not hinder the peoples of the Territories from exercising their right to self-determination and independence in conformity with the purposes and principles of the Charter and the Declaration;

16. Calls upon the administering Powers concerned to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States and to comply fully with the purposes and principles of the Charter, the Declaration and the resolutions and decisions of the United Nations relating to military activities and arrangements by colonial Powers in the Territories under their administration;

17. Requests Member States, in particular the administering Powers, to adopt appropriate measures to prevent the recruitment, financing, training and transit of mercenaries in their Territories for use against the national liberation movements struggling for freedom and independence from the yoke of colonialism, racism and apartheid;

18. Considers it incumbent upon the United Nations to continue to play an active role in the process of decolonization and to intensify its efforts for the widest possible dissemination of information on decolonization, with a view to the further mobilization of international public opinion in support of complete decolonization;

19. Urges Member States to ensure the full and speedy implementation of the Declaration contained in General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

20. Requests the specialized agencies and other organizations of the United Nations system to render, or continue to render, within their respective spheres of competence, all possible moral and material assistance to the peoples of the colonial Territories and to their national liberation movements, to take measures to withhold from the apartheid régime of South Africa any form of collaboration or assistance in the financial, economic and technical fields and to discontinue all support to that régime until apartheid has been eradicated and a non-racial, united and democratic State based on the will of all South African people has been established in accordance with the relevant resolutions and decisions of the General Assembly, including the Declaration on Apartheid and its Destructive Consequences in Southern Africa, and those of the Security Council;

21. Invites non-governmental organizations having a special interest in the field of decolonization to intensify their activities in co-operation with the United Nations;

22. Decides, subject to any directives the General Assembly may give at its forty-fifth session, to continue to examine the full compliance of all States with General Assembly resolution 1514 (XV) and other relevant resolutions on the question of decolonization, to seek the most suitable ways for the speedy and total application of the Declaration to all Territories to which it applies and to propose to the General Assembly specific measures for the complete implementation of the Declaration in the remaining colonial Territories;

23. Invites all States to co-operate fully with the Special Committee in the complete fulfilment of its mandate.